

JANUARY

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Current HISTORY

WITH THE HISTORIANS' CHRONICLE OF THE WORLD

Feminism Destructive of Woman's Happiness

GINA LOMBROSO FERRERO

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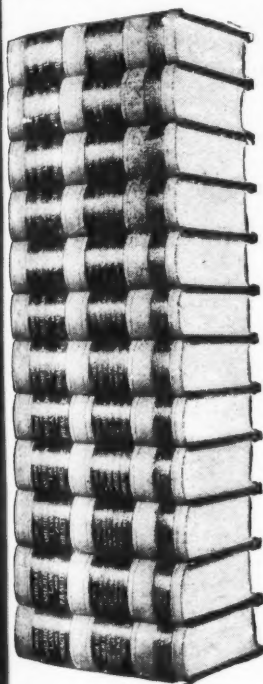
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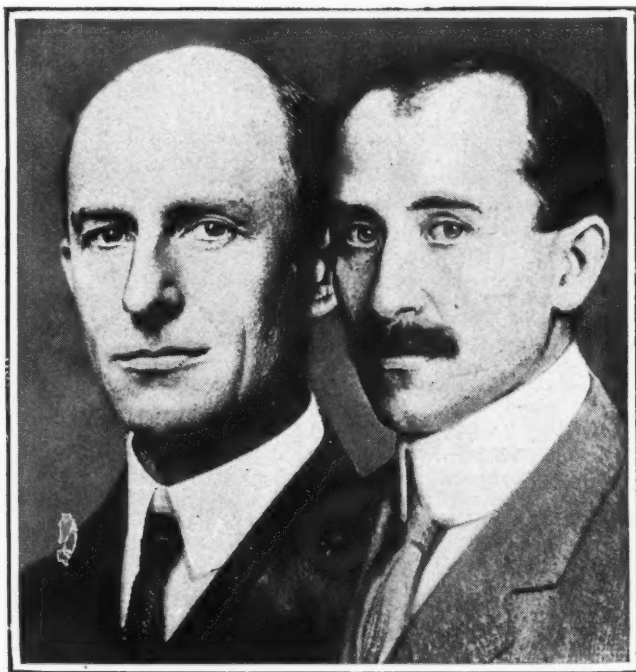
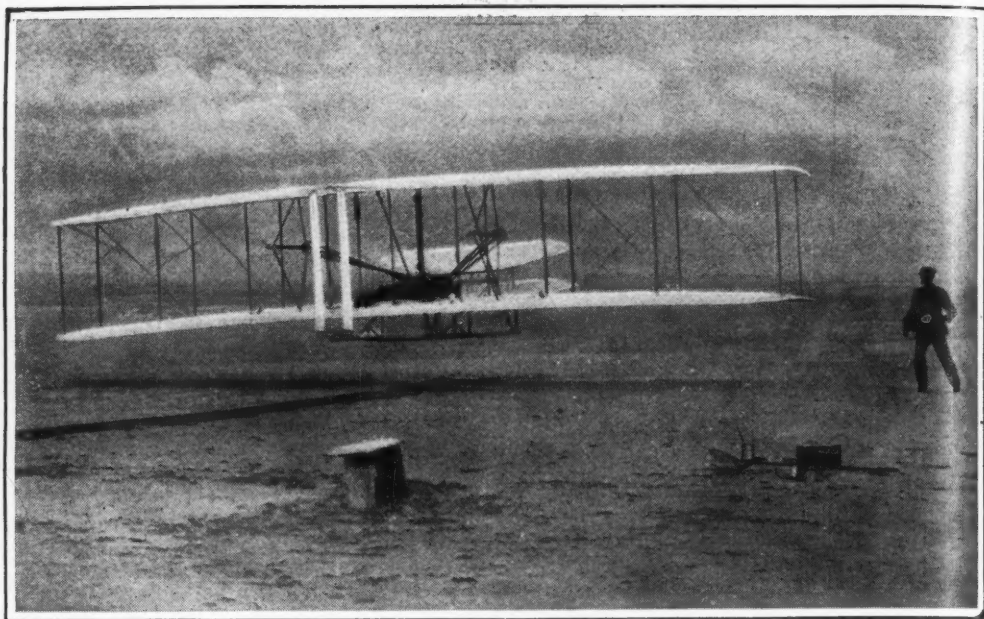
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INVENTORS OF THE AIRPLANE

From left to right: Wilbur and Orville Wright. Above—The first flight by man in a heavier-than-air machine. Orville Wright is flying this machine at Kitty Hawk in 1903, with his brother Wilbur running alongside



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1926—A Turning Point in American Aviation

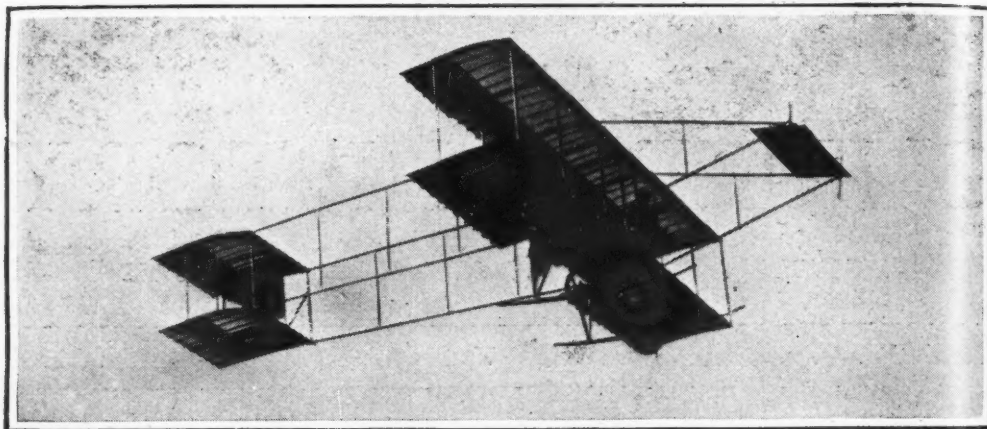
By G. K. SPENCER

Director, *Aeronautical Review*, Los Angeles

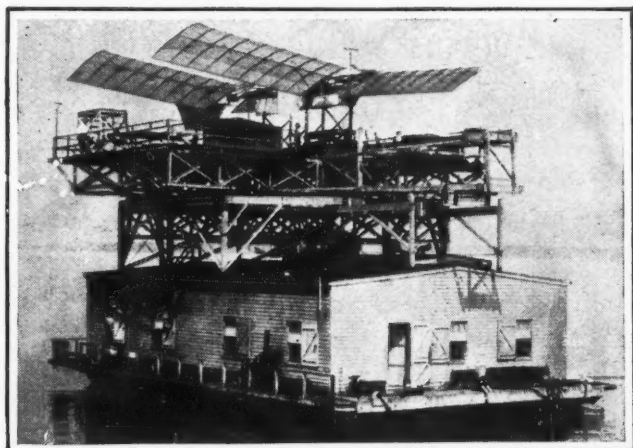
IT is current opinion in the aeronautical industry that the single year of 1926 saw greater progress in aviation in America than in any country in any year of the four epochs into which its history has been usually divided. The first period was that from the experiments mythically believed to have been made by Daedalus to the launching by Professor Langley of his "Aerodrome" in the Potomac River in 1903. Langley's machine marks the beginning of a new epoch, because it was later demonstrated that it was capable of sustained flight, for in 1918 it was flown by Glenn Curtiss with only the addition of a modern power plant. The second epoch extended to the opening of the World War in 1914. The third period covered the rapid progress of design and construction during the war, and continued until the beginning of 1926, because aeronautics was still under the influence of the war. With the beginning of 1926, however, when many of the best air minds in the world began to make themselves felt in the sev-

eral Governments as well as in financial circles, a period began which saw an underrated aviation bodily taken up by the military and revived, saw legislators turn their attention to aviation, saw the entrance of responsible men and substantial capital into air transport and saw aviation in commerce and industry generally recognized. The progress of design was stimulated to such purpose that during 1926 more than 130 new or temporarily lost principles were introduced into newly manufactured aircraft. Four times as many new commercial planes were evolved in the United States as there were military models. A struggling infant in January, 1926, the United States Air Mail Transcontinental Line at the end of the year was advertised for sale as a going and profitable concern.

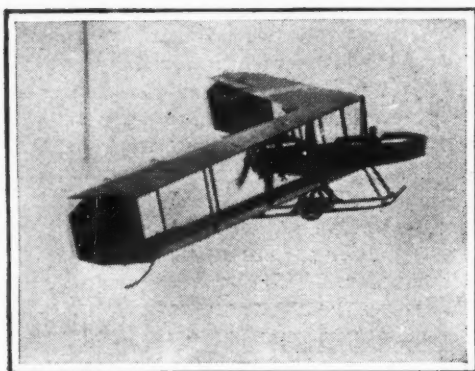
Whatever the critics of America's air policies may aver, reports from other leading countries show that the United States possesses more commercial aircraft than three other great nations combined. Moreover,



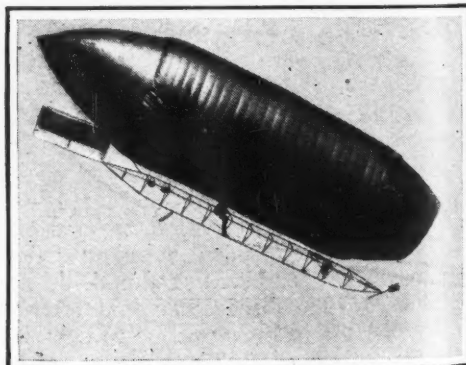
An early Wright machine in flight



Langley's aerodrome, the first heavier-than-air machine capable of flight, though it encountered misfortune in its initial tests

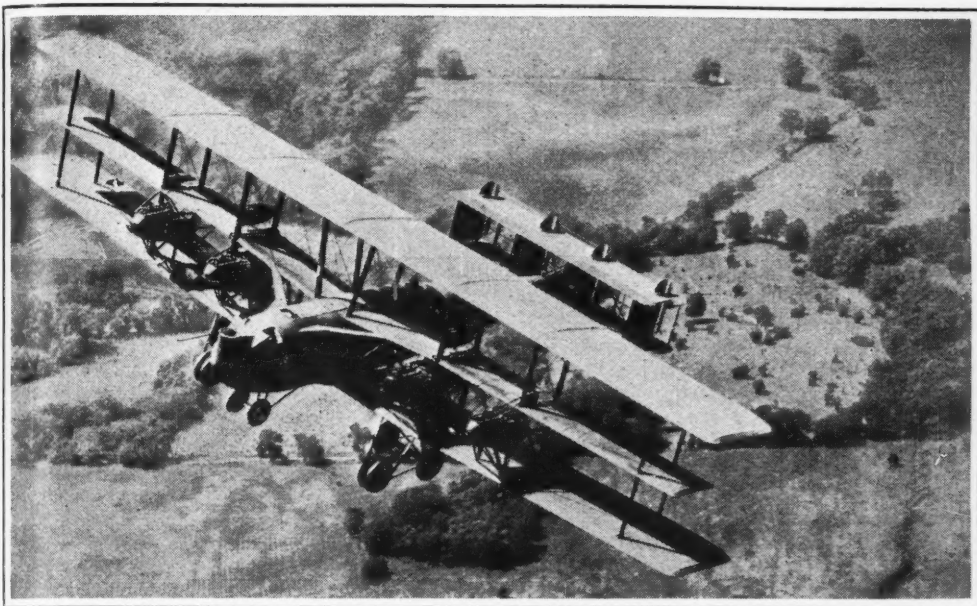


Early Burgess type of plane



Early American dirigible (1911) guided by the pilot shifting his weight

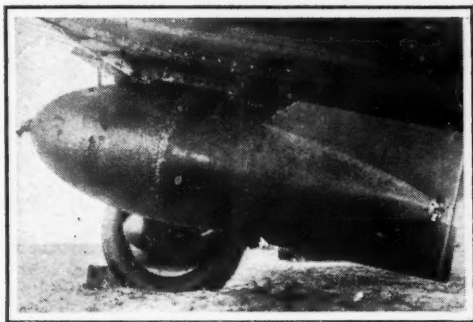
[All illustrations for this article from the G. K. Spencer organization]



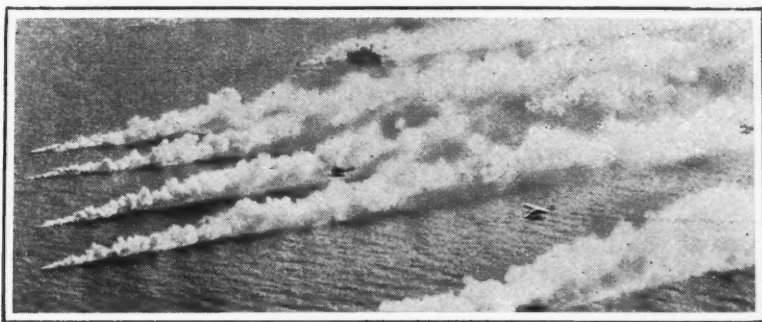
The six-motored Barling bomber, largest military aircraft in the world (American)



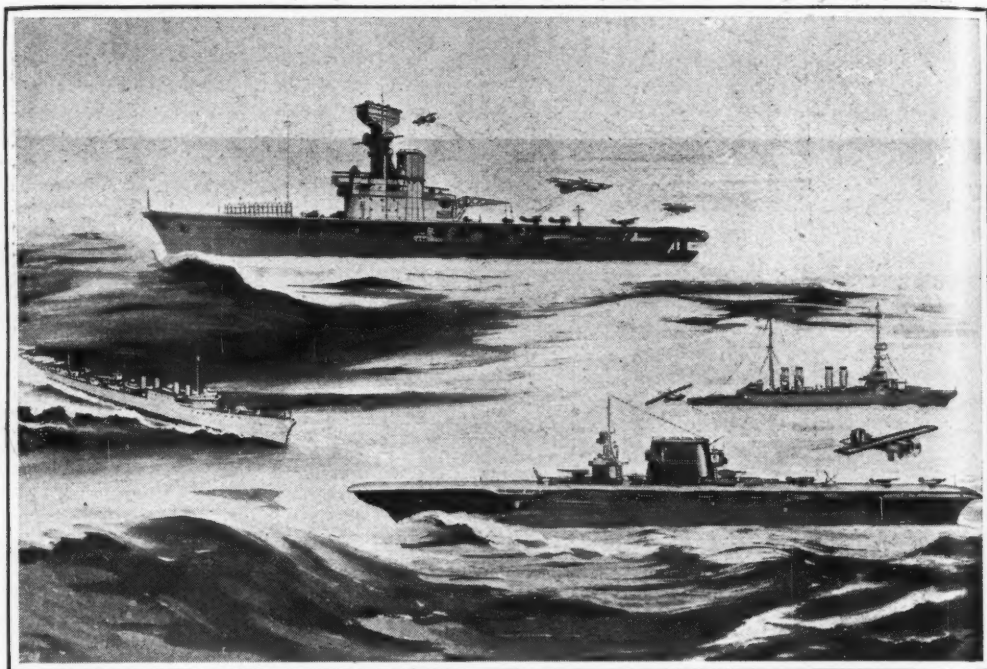
Type of combat plane now in use by the United States Army, showing the double machine gun in operation



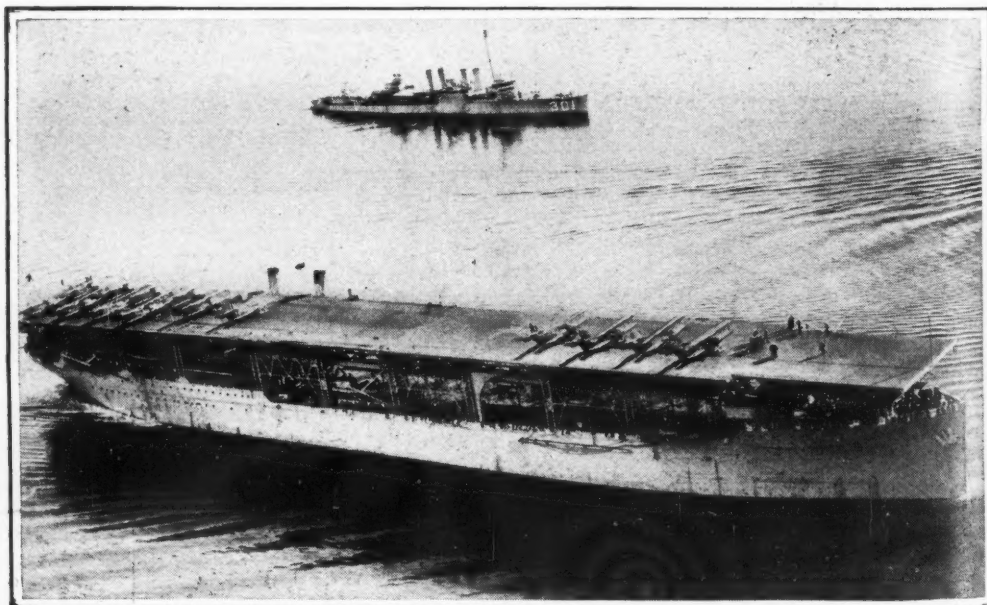
Bomb weighing a ton attached to the Barling bomber, capable of destroying a battleship with one hit



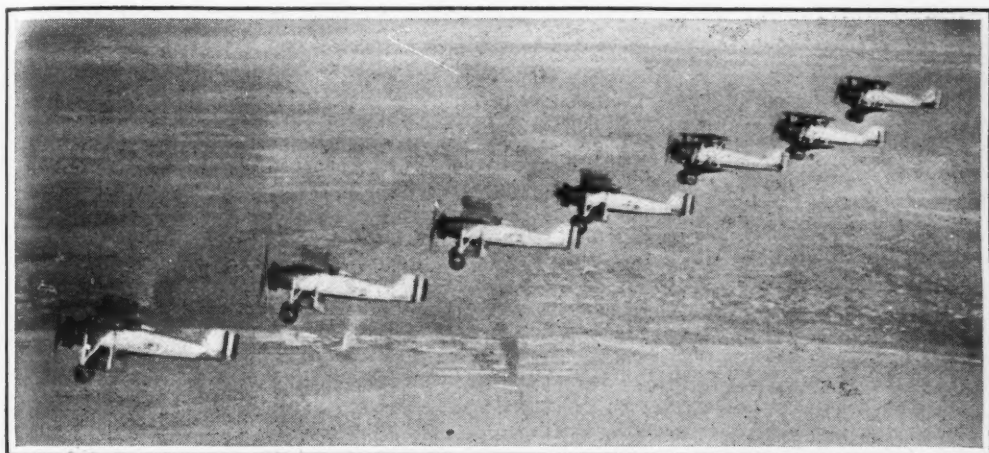
An aerial assault at sea aided by smoke bombs dropped on the water



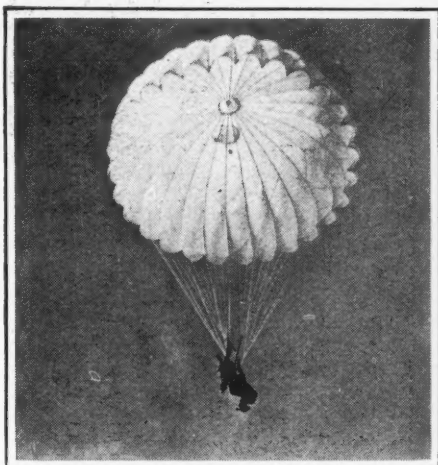
A grouping of British and American aircraft carriers. Above is the Hermes of the British Navy and below the new U. S. S. Saratoga is shown. To the left, a modern American destroyer and to the right a new type of American light cruiser



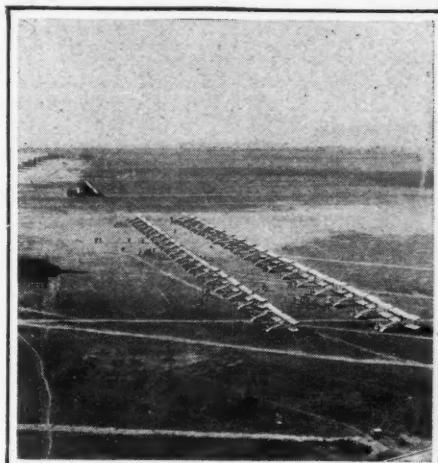
The U. S. S. Langley, an experimental aircraft carrier



A steady flight of combat planes



A navy officer pulling the shrouds of his parachute while guiding it to a landing place



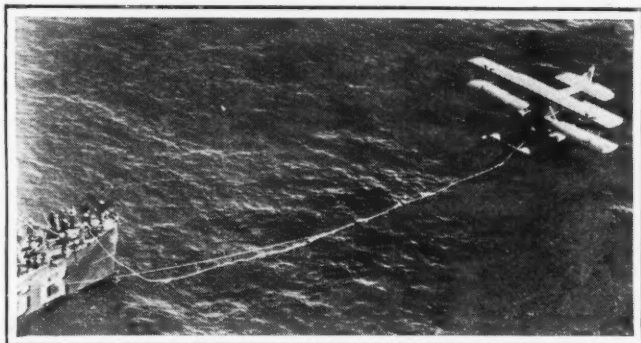
Aircraft on inspection at the major naval air station on the Pacific, North Island, California



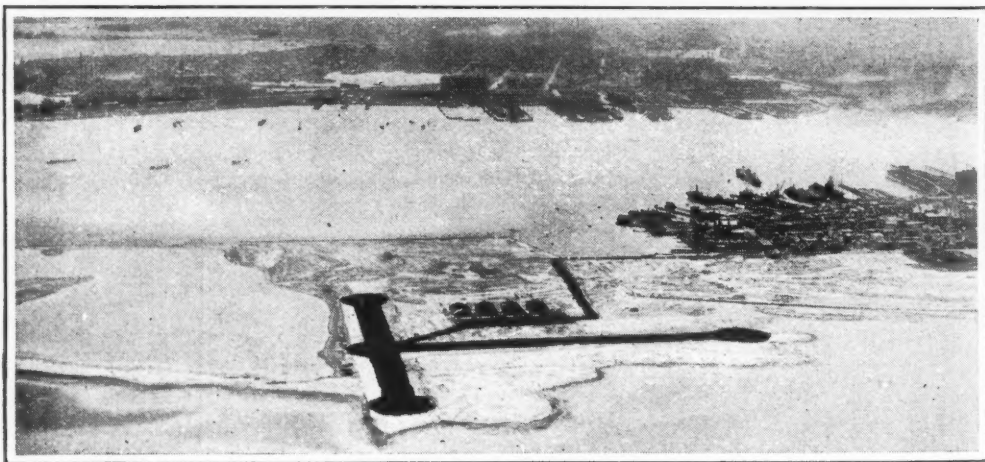
Bolling Field, near Washington, D. C.



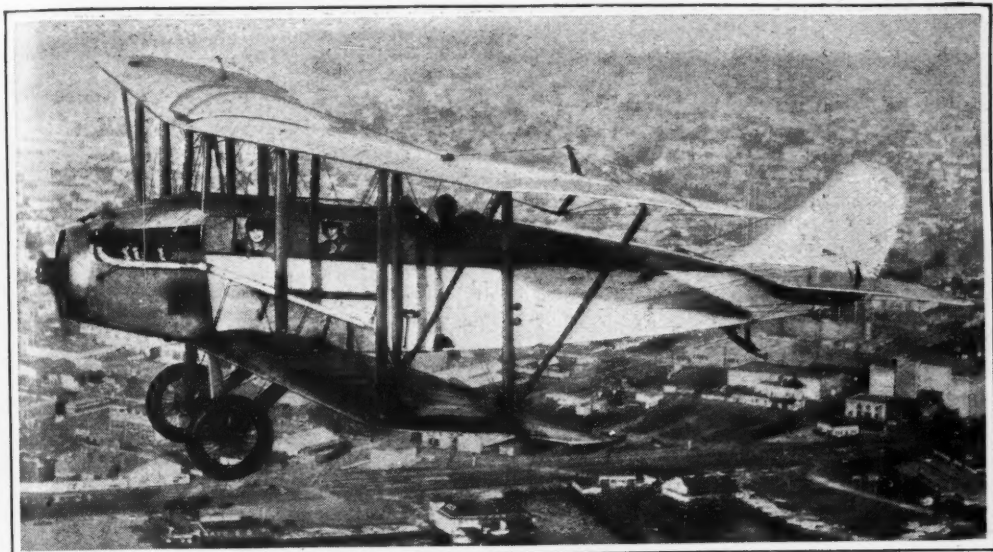
Above — Air-
plane used in
Alaska map-
ping in 1926 and
also adopted by
the Navy for
use at sea



At left—Fueling
a torpedo plane
at sea



The model airport at Boston



Plena of the Ryan air lines, California, originator of the Ryan M-1 fast mail plane

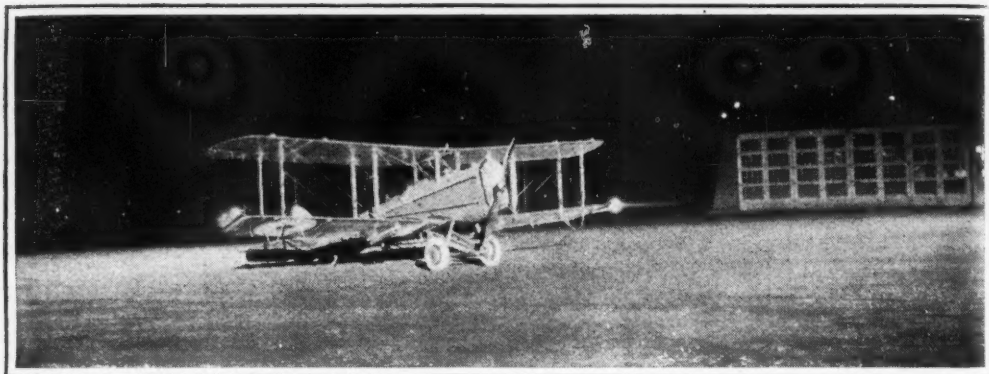


Above — Design of a metal-clad airship, so contrived as to eliminate various air strains. The metal surfaces are welded to the internal bracing and supports

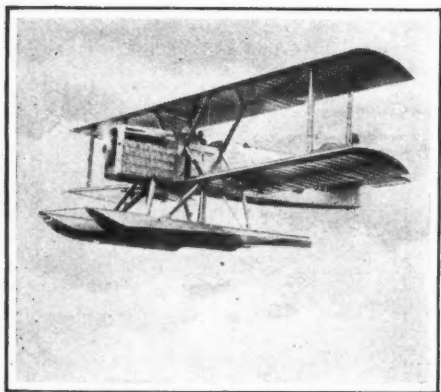


Fokker transport, America's largest transport plane

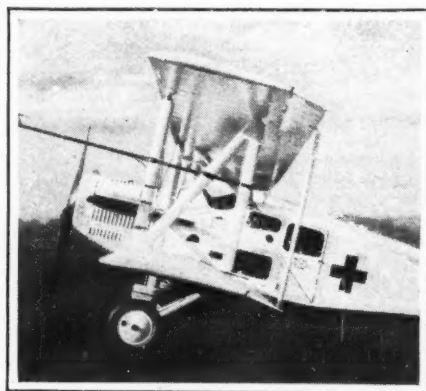
Above — Spraying crops from the air to exterminate insect pests



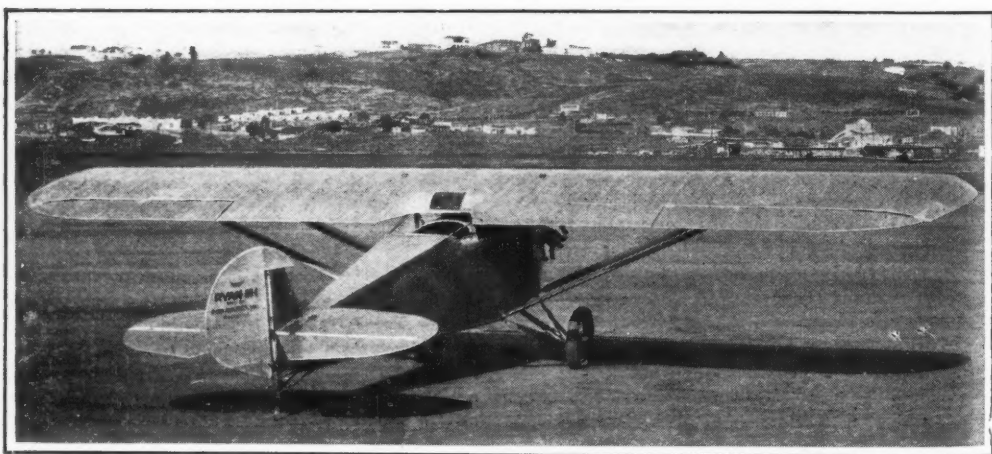
Night mail airplane ready to start



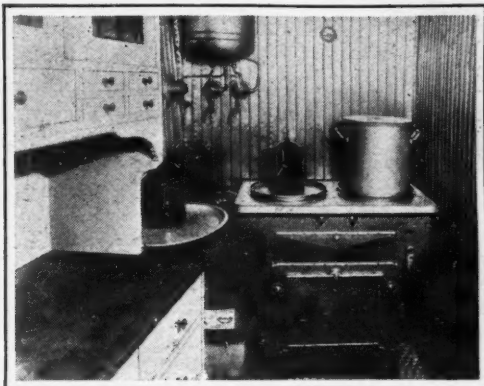
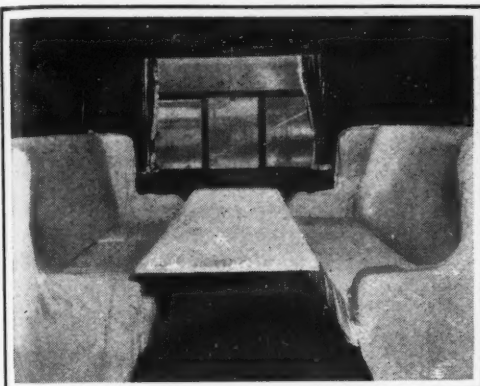
New naval torpedo plane



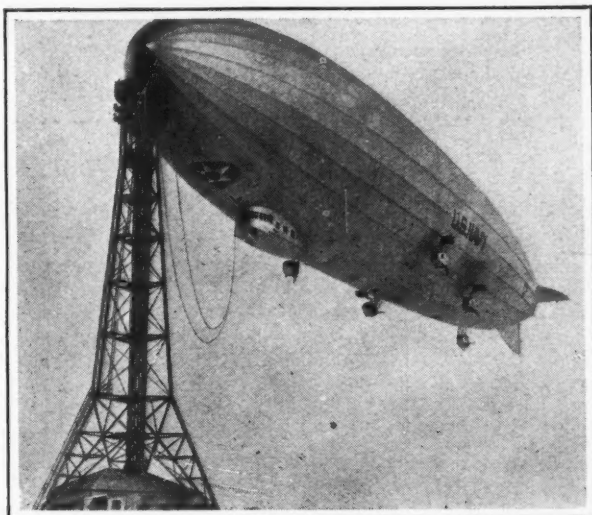
Modern military hospital plane



Ryan monoplane for air mail—the latest and most efficient type of air mail carrier



Above — The dining and observation room of the dirigible Los Angeles

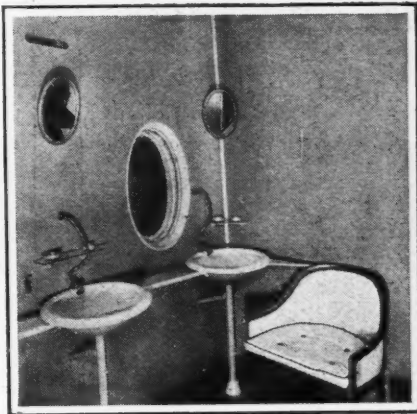


Above—Galley, or kitchen, of the Los Angeles

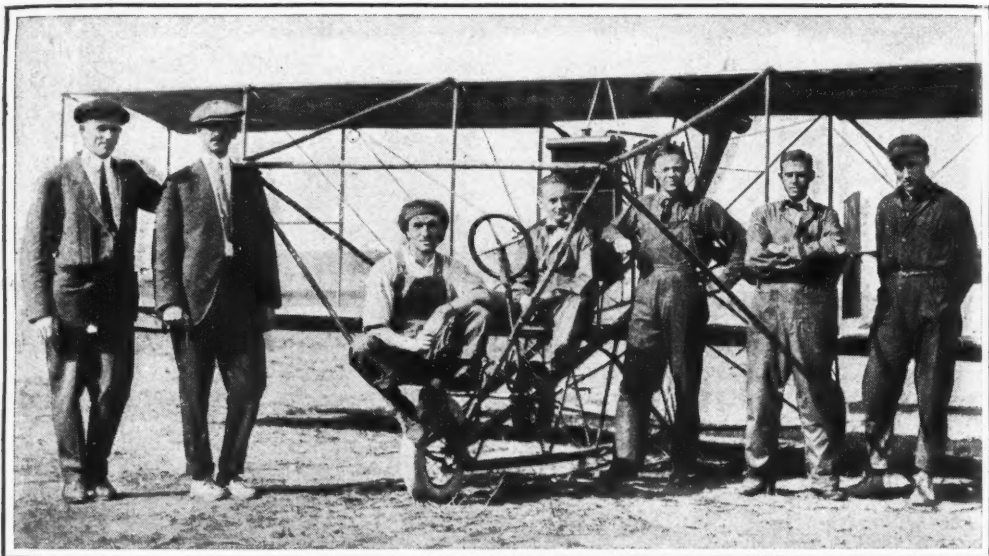


Where passengers embark on an airship

Above — Los Angeles ready to take on crew and passengers



Lavatory of the Los Angeles



Above—Glen Curtiss (second from left) with his first class of pupils at San Diego, Cal., in 1910

At right—Colonel William Mitchell, formerly of the United States Army Air Service.

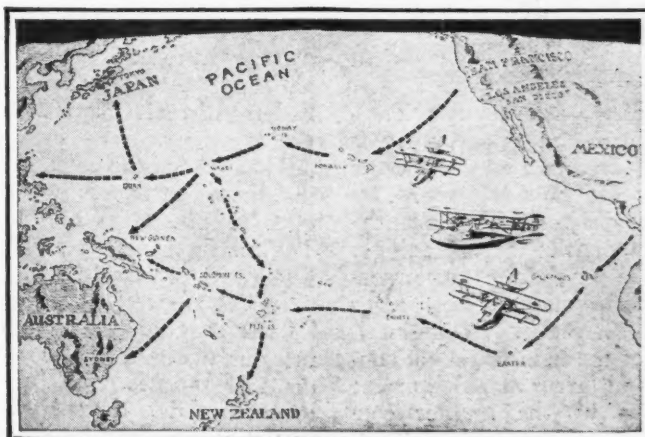
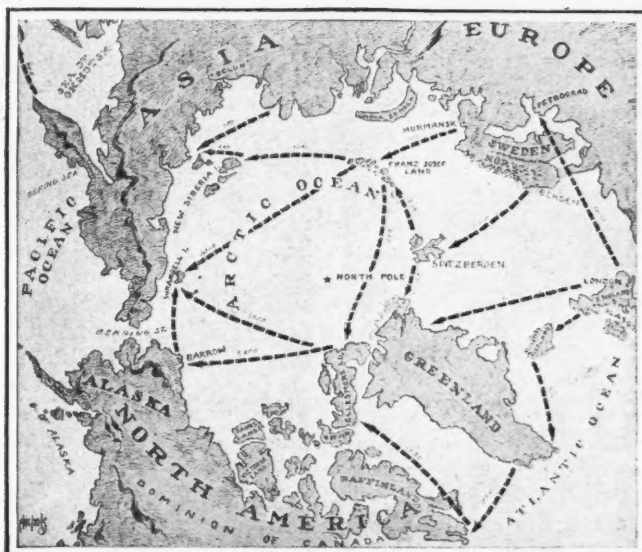
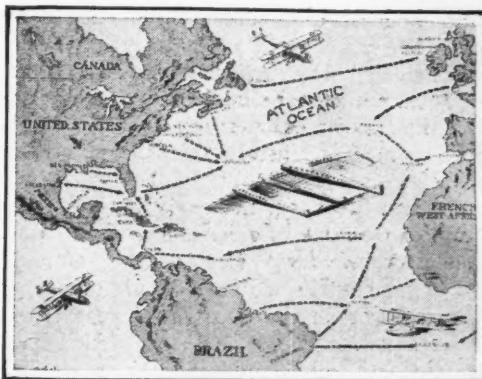
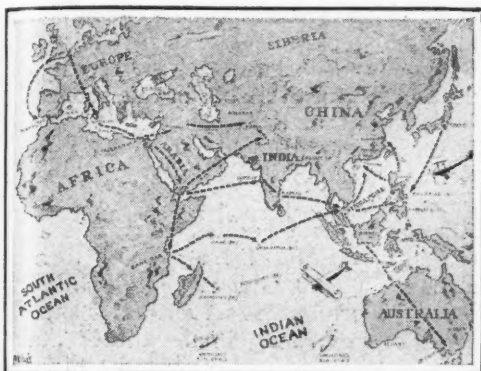


Glenn Martin, one of the pioneers of the American aircraft industry, as he appeared in 1911



Below — From left to right: The late Zachary Landsdowne, commander of the Shenandoah; Captain T. T. Craven, commander of the American Navy air force in the World War; Admiral Moffett, Chief of the Naval Bureau of Aeronautics, and Captain Moses, commander of the aircraft of the battle fleet in 1925 and organizer of the Transpacific Hawaiian flight





These four maps show the proposed air lines over the Indian, Atlantic, Arctic and Pacific oceans. Some of those over the Indian Ocean are already operating under British registry.

both Federal and contract air mail services are succeeding on a paying basis; unsubsidized American aviation has filled every manufacturer's books with orders far into the future; competition and the rapid purchasing of aircraft manufacturers' agencies are proceeding with almost the same impetus as in the early days of the American automobile industry. With the exception of long flights, the United States has contributed vastly more to scientific aviation in the past fiscal year than any other country; indeed, more scientific expeditions were completed than in all Europe. Not only has apparatus been developed for "making rain," but the aircraft of the United States Army have demonstrated their ability to plant new forests over cut or burnt areas. One plane makes plantings in one-half day which would require thirty-four men ten years to accomplish. Half a billion dollars has been invested in the aircraft industry. This is being added to at a rapid rate, aircraft schools alone adding 1 per cent. a month to capital employed. This money comes generally from the most conservative elements in the country, and the names appearing on the boards of directors of the aircraft factories are those of successful and cautious investors. Dividends are being paid in the United States, while outside the United States only two unsubsidized commercial air lines are in existence, and neither of them is in mainland European countries, though controlled by European capital.

THRIVING AIRCRAFT INDUSTRY

The romance of the early days of automobile manufacturing in this country is already being repeated in a measure in the aircraft industry. In no fewer than five very efficient proprietary airplanes the competition for agencies is exceedingly brisk, the agencies purchasing demonstration planes outright and in most cases making their own deliveries. The unparalleled prosperity of the industry is not confined to the old and larger manufacturers; it is shared also by the smaller constructors in the West and Middle West. The Postoffice Department itself placed an order for almost \$500,000 worth of air-

craft with one manufacturer—forty planes at \$11,900 each. More than \$2,000,000 worth of endowed airplane engineering education is now available in this country—more than four times that of all the rest of the world combined, that is, in France, Germany, England, Holland, Russia, Belgium, Italy, Japan, Canada and South America. More civilian aircraft are licensed in the United States today than in France, England, Germany and Japan combined. More individual aircraft manufacturing factories are operating in the United States than in those nations combined. Five individual planes, according to the fiscal records of 1925-26, are sold in the United States every time one such plane is sold in France, England, Germany and Japan combined. Over 6,000 commercial aircraft were constructed in the United States in that period, and, if Soviet Russia be omitted, the United States licensed more new pilots than any two nations combined. Soviet Russia trained more new pilots than any European nation, according to official statements. In the fiscal year the municipalities of the United States expended more than \$4,000,000 for municipal and other air ports—more than was expended on air ports in all the previous history of aviation.

The safety of American aeronautics was emphasized by the remarkable fact that during the fiscal year not one fatality occurred on any American passenger aircraft line operating under regular organized procedure—a record never equaled by any European nation with subsidized air lines. At the same time, in place of Federal aircraft inspection, municipalities possessing air ports instituted their own air boards for the regulation of local flying, these boards issuing permits for flight only to planes passing their inspection. The members are in practically all cases pilots with practical flying experience.

In a single week in September more than 50 per cent. of the civil airplane orders in four Western States were from residents of ranches. On July 4 the City of Prescott, Ariz., threw its traditional patriotic celebrations to the winds, and its 1926 rodeo was an aircraft event.

Though disappointing to many of those

who had planned "air cities," the present plans of the Commerce Department will bring about important aerial concentrations at Chicago and Salt Lake City as the chief relay depots between the air ports of the Atlantic and Pacific coasts. No fewer than eleven proposed "air cities" which had been proposed are definitely discouraged by the present plans of the Commerce Department. The national airways are designedly drawn over the best tilled land and grazing courses in the country. Flying over these airways the writer has recently observed hundreds of private aircraft tied up in fence corners, pastures, meadows and lanes, near farmhouses and barns, being obviously the property of the farmers and their hired help. At Prescott, Omaha, Los Angeles, a large part of the total air traffic each day is furnished by these dust-clouded planes coming from ranches and farms for supplies and on "bucko hops," as the ranchers refer to their courting activities by airplane. The United States does not at the present time know actually how strong it is in the air, for airplanes are being used by countless young ranchers and farmers who have been taught by friends and have never bothered about licenses.

AERIAL METEOROLOGICAL SERVICE

To make aeronautical meteorology an exact science the Army, Navy and Department of Commerce have entered upon the task of creating a vast nation-wide upper air service, at the local offices of which pilots will be able to inquire before beginning any flight over land or sea. Observatories at sea and throughout the United States, Canada and Mexico are already a part of this system, the Navy having placed its floating meteorological observatories, the Langley and the Wright, at the disposal of the Weather Bureau, these ships being designated official Weather Bureau stations, receiving and dispensing all reports in the Weather Bureau's routine.

Driving through fogs and squalls miles from shore the pilots of the Naval Aviation Service play an important rôle in the new weather service. Fast planes, equipped with long-distance radio installations and manned by Army and Navy pilots, provide

the final touches to this great new weather service, scouting for approaching storms, clouds and fog, as well as for atmospheric alterations which may cause changes in air areas over the land. The first charts of the new meteorological system have just been completed in the offices of the commanding officer of the aircraft squadrons of the battle fleet. They not only show the best airplane courses between Pacific Coast cities but carry marginal information on the areas of possible danger. The charts are to be duplicated for every inch of the entire country. It is on such charts that aviation pilots will plot their courses and mark their weather information. Newspapers throughout the country are to be requested to cooperate by printing the morning meteorological conditions for the benefit of local pilots. To supplement the aerial beacons of the night-flying air mail, all lighthouses along the coasts are to be supplied with vertical beams, while the lighting of airways on land is to be greatly improved, and radio directional beams are to be established at all primary airports for the guidance of aircraft flying over unlit airways.

In Hawaii the Navy and Army stations at Pearl Harbor and Luke Field, respectively, possess the newest and best aircraft in our Air Corps. Landing fields are now under construction or actually completed on all the large plantations in the principal islands, and at Pearl Harbor the Navy has just erected a great dirigible mast for receiving dirigibles. Behind the naval stations on the mainland the Army maintains strong fields at San Diego, at the Presidio of San Francisco (Crissy Field), at Sand Point, Washington; at Vancouver and in Salt Lake City. An ammunition dump is to be built by the Navy in Nevada in the Spring of 1927 to provide ready access to all those points. California, Oregon and Washington mean to be defended in the air and are making their plans in conjunction with those of the Federal Government. The Pacific States also plan to use aircraft for the defense of their great water reservoirs, and a gigantic system of mountain catapults, from which to launch aircraft, is planned for establishment among the peaks of the Rockies.

"The age of the giants" in aviation, as one historian calls it, has passed, but some of them are still with us, for the most part heading their own construction firms. Professor S. P. Langley, who had constructed a machine which was capable of flying on Oct. 14, 1903, has long since passed away, for he was an old man when he achieved what would have been the crowning ambition of his life if fate had given him a fair chance that day. On Dec. 19, 1903, just two months later, Orville Wright took the first heavier-than-air machine into the atmosphere for the first flight of history. The Langley "Aerodrome," as the Langley craft was called, was patched up, after a fall into the Potomac River, and placed in the Smithsonian Museum.

Three of the twelve children of a Congregationalist pastor, Orville, Wilbur and Katharine Wright, gave the world aeronautics. Even today, with Wilbur dead and Katharine just wedded, Orville never speaks on the "early days" without including Katharine Wright as one of "the three musketeers," for she it was who taught school and each week gave her money for the purchase of experimental supplies, while nightly she sewed the fabric to cover the wing frames.

Military aviation in the United States may be said to begin with the year 1908, when Orville Wright, flying at Fort Myer, demonstrated to the satisfaction of the United States Army command that this conquest of the air was a fact and that it could be put to prime military uses. In the same year Lieutenant Thomas C. Selfridge, flying with Orville Wright, was killed in an accident to the transmission gear of the motor used by Orville Wright, who was himself badly injured, but who recovered in time to make numerous short flights (at that time long ones) before the end of the year, mostly for the benefit of the Army authorities. During that year the United States Army authorities laid down their first specifications for a flying machine that would be acceptable to the Government—a machine capable of carrying two men and sufficient fuel supply for a flight of 125 miles, with a speed of 40

miles an hour. In 1909 the first serious efforts of the War Department to form a flying group came with the appointment of Lieutenant (now Colonel) Frederic E. Humphreys and Lieutenant (now Brigadier General) F. P. Lahm, to the Wrights' care for flying instruction. They were taught by Wilbur Wright and were the first officers of the United States Army to be taught to fly—the nucleus of our present Air Service. In this same year, 1909, Wilbur Wright made his momentous flights from Governors Island, New York, around the Statue of Liberty and to Grant's Tomb and back. The Hudson-Fulton Celebration was then in progress and served to focus attention on the beginnings of practical flying. The American Wright Company, destined later to play a large rôle in the military aeronautics of the nation, was formed largely as a result of these flights. Orville Wright, during this time, had been in charge of the early Government flights at Fort Myer, Virginia, where, in September, 1908, Lieutenant Selfridge, the first victim of an airplane crash, lost his life.

THE WRIGHTS' DISCOVERY

By Dec. 15, 1910, seven years after the first flight by the Wright brothers, more than 1,000 men in the United States and Europe were flying. Of this thousand, several hundred were pilots under training by the various inventors, the most successful being under the tutelage of the Wrights both here and abroad. The particular discovery of the Wrights, which made aviation finally possible, was the application of the principle of lateral balance to heavier-than-air craft. Previously, Professor Langley and European experimenters had worked on the idea of rudder guidance for direction, and height control by elevators. Stability as to vertical sway of the wings, though given intensive thought, had not been solved. The Wrights solved it. They discovered their principle of wing warping and flew. The era of improvement now began. Ever-extending military demands created the chief stimulus toward rapid evolution, inventors placing dependence for support to a great extent

on the promised military contracts, which slowly began to be forthcoming. In the popular mind aeronautics began to be associated with military flying.

In the years immediately preceding the outbreak of the World War the United States had established its Army Aviation School and employed Burgess-Wright and Curtiss machines principally in training activity. In 1911 Glenn Curtiss, flying at San Diego, Cal., demonstrated the value of his flying boat, training Ensign Ellington of the United States Navy as pilot. The boat was a machine very similar to the one in which Curtiss had previously won the first Gordon Bennett air contest. From this beginning at San Diego Mr. Curtiss proceeded to develop a boat without pontoons, making it a craft directly connected to motor and wings, the forerunner of the NC's which made the flight by hops across the Atlantic, and also the precursor of the H-16 planes, now used universally by the Navy in general service.

AMERICAN ENTERPRISE

American public opinion was greatly influenced by the tales of the exploits of American aviators with the French, German and British armies, and a billion dollars was devoted to aviation. Though the outcome was one of the greatest Government scandals in our history, the result was that the country staggered through to the possession of an air force which at the end of the war was second to none, both for excellence of machines and for the training and intrepidity of its pilots. This, of course, was directly due to the struggles of the "old guard" of the Wrights, Curtiss, Martin, Grover Loening and others, who had been accumulating data by experiment during the fallow years.

Not unlike the career of the Wrights has been that of Glenn L. Martin, who, in 1909, established one of the first airplane factories in the United States, having in the previous year designed and built his first airplane and taught himself to fly. From 1909 until 1916 he flew regularly and gave many exhibition flights in the United States and Canada. The Glenn L. Martin Company was incorporated at

Santa Ana, Cal., in 1911, and the following year the factory was moved to Los Angeles. Airplanes for exhibition flying and sport were built until 1913, when the company received its first War Department order. In 1915 the Navy bought its first training hydroplanes from the company, which also built twenty-four airplanes for the Governments of Holland and the Dutch East Indies. In 1916 a merger was formed with the Wright Company of New York, resulting in the Wright-Martin Aircraft Corporation, which established itself at Cleveland. The plant of the new company, completed in the Spring of 1918, occupies a site of seventy acres, with factory floor space of 72,000 square feet.

The first Martin bomber was flown from Cleveland to Dayton, Ohio, in September, 1918. In its official tests it attained a maximum speed of 118.8 miles per hour and established a ceiling of 15,000 feet, carrying a complete military load, including six hours of fuel, four men, five machine guns, ammunition, cameras, wireless and 1,000 pounds of bombs. The plane so greatly exceeded the performance of foreign machines of a similar type that it was at once accepted for use overseas for the 1919 military program, which, of course, did not materialize owing to the armistice. In 1921 the company produced for the Army Air Service twenty modified Martin bombers capable of carrying two 1,100-pound bombs a distance of about 400 miles. These machines demonstrated their capabilities in the bombing experiments off the Virginia Capes in the Summer of 1921, flying an aggregate distance of 140,000 miles over water without forced landings. These airplanes were later adopted by the Army as standard bombing equipment, and a total of 130 machines was produced. A combination of the best brains of the Wright and Martin organizations, with the cooperation of the foremost gas engineers, brought forth the Liberty motor, which remained, five years after the end of the war, the best motor of its class in the world, a fitting monument to American ability in dealing with the problems of aeronautics.

American Prosperity Producing New Social Problems

By T. N. CARVER

Professor of Economics, Harvard University, author of *The Present Economic Revolution in the United States*

EVERY old civilization of which we know anything has been based on inequality. A few fortunate ones could cultivate the finer things because they could shift all their drudgery upon others less fortunate than themselves. Slaves supplied the so-called need in some cases, cheap wage labor in others. Machines are beginning to supply the need in the new age upon which we are now entering.

In this new age, if we are wisely guided, all may be relieved of drudgery, all may have a surplus of energy with which to do what they like instead of being compelled to use all their energy doing things which necessity compels. The "man with the hoe," who had become little more than a food motor, is to be displaced by a man directing a machine which is driven by a mechanical motor. The machine is to displace cheap labor, not only in the productive establishments but also and even more in the household, and to do for householders what cheap servants formerly did.

It is the machine that makes the high wages and the light work of the present day, and the still higher wages and still lighter work of the future possible. The world over, a high product per worker goes with a high wage rate, and a low product per worker with a low wage rate. The first two of the tables printed on this page illustrate this general rule and help to explain the fact that this country pays higher wages than any of the others with which a comparison is made. If there is any doubt as to the fact that higher wages are paid in this country, the third table on this page (from the International Labor Office in Geneva) will dispel it.

These higher wages, however, are scarcely sufficient to explain three striking facts in American life today. First, the masses

of our people seem to foreigners to be indulging in a perfect orgy of extravagance. Second, such inequalities as still exist are coming more and more to be a reflection

PRODUCTIVITY PER ACRE AND PER PERSON ENGAGED IN AGRICULTURE IN VARIOUS COUNTRIES
(From United States Department of Agriculture Year-book for 1918, Table 290.)

Countries.	Year.	Acres per person engaged in agriculture.	Index figure of productivity per acre.	Index figure of production per person engaged in agriculture.	Ratio of production per person in United States to countries indicated.
United Kingdom...	1901	7.1	177	126	2.3
France	1901	7.3	123	90	3.2
Germany	1907	7.1	167	119	2.5
Hungary	1900	7.1	113	80	3.6
Belgium	1900	5.3	221	117	2.5
Italy	1901	4.7	96	45	6.5
United States.....	1900	27.0	108	292	..

COMPARISON OF 26 INDUSTRIES IN THE UNITED STATES AND THE UNITED KINGDOM
(From J. Ellis Barker's "Economic Statesmanship," pp. 519, 524.)

	United States, 1909.	United Kingdom, 1907.
Number of workers.....	1,983,000	1,700,000
Horse power used.....	4,779,000	2,009,000
Horse power per 1,000 workers	2,400	1,200
Gross output per worker per year	\$8,735	\$3,100
Net output per worker per week	\$29	\$11

REAL WAGES IN FOREIGN COUNTRIES AND THE UNITED STATES, JANUARY TO OCTOBER, 1925.

City.	Oct., 1925.	July, 1925.	Jan., 1925.
Philadelphia	100	100	100
Ottawa	88	81	69
Sydney, N. S. W.	76	77	70
Copenhagen	64	53	41
London	53	65	45
Oslo	52	45	38
Amsterdam	48	46	37
Stockholm	46	40	36
Paris	35	34	29
Berlin	33	33	27
Lodz	31	32	28
Brussels	31	28	29
Prague	28	28	23
Warsaw	28	27	23
Rome	26	26	23
Vienna	26	27	21
Milan	26	27	21

of the first fact; that is to say, most of the great fortunes that have been built up in the last twenty years are not the result of monopolizing the necessities of life; they are not even the result of charging high prices for what is produced and sold. They are the result of hitting the popular taste in the matter of cheap luxuries, of producing these popular luxuries on a large scale and selling them at a low price and small profit per unit. These cheap luxuries, in which conspicuous fortunes have been made, range all the way from automobiles to chewing gum and include such things as low-priced cameras, soft drinks, popular magazines, popular entertainments and radio sets. Third, another striking fact seems almost to contradict the others, but it is no real contradiction. It is the fact that masses of people are saving and investing capital on a hitherto unheard of scale. A few of the more outstanding examples are given below:

AMERICAN PEOPLE'S SAVINGS

In 1925 there were 14,656,545 depositors in saving banks in the United States, their deposits amounting to \$9,065,181,000. If we count also the savings deposits in national banks, trust companies and other institutions, and add them to those in the savings banks, we get the amazing amount of \$23,844,508,000, representing the total savings deposits in the United States banks in the year 1925, with \$204 per capita. It cannot be maintained, of course, that wage workers form a large proportion of these depositors. However, the Philadelphia Saving Fund Society on Jan. 1, 1926, made a classification of its depositors occupationally, with interesting results. The largest number of male depositors—10,599 out of a total of 22,894—during 1925 were listed as wage earners; and the largest number of female depositors—8,721 out of a total of 25,320 (barring 8,894 minors)—were listed as wives of wage earners.

However, other avenues of saving have more than held their own in spite of this tremendous and annually increasing flow into the coffers of the savings banks. Building and loan associations have shown

a marked increase yearly in number and assets, and in 1924 we find 11,844 of these associations with a total membership of 8,554,352 and total assets of \$4,765,937,197. The statistics of life insurance companies show that in 1924 there were 22,082,377 ordinary policies in force in the United States, amounting to \$49,241,424,055; and 68,247,642 industrial policies, amounting to \$11,343,740,085.

One of the most striking signs of the times is the rapid and vigorous growth of labor banks all over the country. A report of the financial condition of these banks issued on June 30, 1926, shows thirty-six of them located in twenty different States. They have a combined capital of \$9,366,600, surplus and profits amounting to \$3,799,422, with total deposits of \$108,584,597 and total resources of \$126,849,318.

Perhaps the most significant phase of the widespread prosperity we are now enjoying is the investment by employees in the shares of the corporations employing them. Only a few of these can be cited, but they will serve as general examples of this tendency. A group of employees of the Standard Oil Company of New Jersey, numbering 16,358, have become the largest holders of common stock in the company next to John D. Rockefeller Jr. They purchased in February, 1926, 884,041 shares, having an aggregate market value of \$38,000,000. The employees of a large transit company in Philadelphia have, during the past five years, bought the practical control of this company. They own more than 220,000 out of a total of 600,000 shares. The market value of their holdings exceeds \$12,000,000 and is held and administered by their own trustees. Of some 80,000 stockholders of Armour & Co., nearly one-half are employees of the company. More than half of the stockholders of the New York Central Railroad are employees, and over 40,000 out of some 200,000 employees of the Pennsylvania Railroad have become part owners of the system. Public utilities are an especially attractive field for the employee-investor. Early in 1926 it was reported that more than 62,500 employees of the Bell Telephone system were stockholders of the

American Company and that about 165,000 employees were buying stock on the partial-payment plan.

As to this diffusion of investment in the shares of corporations, some people are trying to discount its importance by calling attention to the fact that the management of these corporations is still concentrated in a few hands. However, this is not as bad as it is sometimes made to sound. Concentrated management there must be if we are ever to have large-scale production. We have the same phenomenon in government. The small local Government may run satisfactorily on the town meeting plan. It is physically impossible to run a large Government on that plan. A mass of people cannot get together and themselves pass laws. It is absolutely and physically necessary that power should be delegated to a few. What we need to guard against, both in politics and industrial management, is irresponsibility on the part of those to whom power is delegated. There is a constant tendency, both in politics and business, for those in a position of power to forget their responsibilities and become arbitrary. In short, the evil to be guarded against in both cases is not concentrated management but irresponsible management. Professor W. Z. Ripley's revelations do not logically argue against concentrated management and were not intended by him to be so construed. They

serve as warnings against the constant danger of irresponsible management. If we had Government-owned and operated industries, the same danger would exist—some believe in exaggerated degree.

IS WORKERS' PROSPERITY REAL?

The evidences of increasing prosperity among our manual workers are so overwhelming as to silence all except the most incorrigible pessimists. Nevertheless, some persons maintain that this is not real prosperity because the cheap luxuries which people are buying do them no good, that the workers are merely wasting their substance in riotous living and are, in reality, no better off than wage workers in Europe or even Asia. A writer in *The New Statesman*, London, for Aug. 7, 1926, suggests that from this American situation, with its "mass production" and the "breeding of one artificial want after another," many people "will recoil with horror." This brings us to the question: Can we stand prosperity? It calls for serious discussion, and should not be decided either way in a spirit of flippancy.

There is some advantage in being in a position where one can buy useless or even harmful things, even if it is agreed that it is better not to do so. A situation in which large numbers of people cannot buy such things because they have not money enough is not a good economic condition.



THE PROHIBITION ISSUE IN AMERICA

What is the burning question in the politics of this most civilized country? It can be summed up as—Secret Drinking or Public Drinking

—Guerin Meschino, Milan

The new rich everywhere are inclined to have their fling—to buy the things that have been just beyond their reach in the days of their poverty. Wage workers as a class are exactly like every other class in this and all other respects. Instead of being a just subject of ridicule, the new rich are always entitled to our sympathetic interest and encouragement. To begin with, new wealth, provided it is earned, is the most meritorious and should be the most respectable kind of wealth. It represents the results of one's own ability and exertion. Inherited wealth is the least defensible form of legally acquired wealth, and the most useless members of society are those who live unproductively on inherited wealth. In the second place, there is pathos rather than humor (if there is a real difference) in the efforts of any creature to adjust itself to a situation for which its previous experience has not trained it. This applies not only to the fish out of water, but also to those people who were once poor but now rich, as well as to those who were once rich but now poor. A generation or two of affluence will be a means of educating the majority of laborers in sounder appreciation of real values.

Some of these pessimists, however, are more worried over what is happening to themselves than over what manual workers will do with their new-found prosperity. Many of them are quite willing, even anxious, that all large employers of labor should pay higher and higher wages to their laborers, but are incensed when those wages are shifted on to themselves in the form of higher prices, and they are dumfounded when household servants also demand wages comparable with those which may be earned in large establishments. The readjustments that will have to be made in private life are even more profound than those that are taking place in industry. The machine is producing results in home life that are quite as far-reaching as any that are being produced in industry. It is in private life, even more than in industry, that the arts and graces commonly extolled by the literati were built upon inequality—the servitude of the many for the advantage of the few. A deeper revolution than that commonly called the industrial revolu-

tion lies ahead of us. As yet only a few are able to realize that it is coming, and to understand the forces that are back of it.

It is the machine that must relieve housekeepers, small shopkeepers and farmers of the soul-killing drudgery which they formerly shifted on to cheap labor, or, in a few cases, to slaves. Electric washing and drying machines, vacuum cleaners and a number of other mechanical devices are already enabling well-educated and well-to-do women to get along comfortably without the washerwoman and the charwoman who formerly had to work to support their drunken husbands. By changing from the ceremonial meal, the fashion for which was set by a leisure class which could afford numerous servants, to a simpler one-course meal, where everything is placed on the table and every one helps himself, we shall not only save a great deal of useless labor, but be better and more wholesomely fed besides. One welcome evidence of the revolt of youth is the refusal of college students to pay the stupidly outrageous price for board which is necessary if elaborate service is provided at the present high wages of labor. They wisely prefer the lunch counter, the cafeteria, or even the "hot-dog" stand, where they pay for what they want and are not compelled to pay for what they do not want in the form of elaborate service.

DEPENDENCE ON MACHINES

It is objected that this will make us all slaves of the machine. That it will make us more and more dependent upon machinery is true, but we shall be no more dependent upon machinery than slave owners were upon their human slaves, or than well-to-do persons have always been upon hired help. But, to be dependent upon some one or some thing does not make us the slave of that person or that thing. If it did, then the slave owner was really the slave and the slave the master, or the well-to-do employer was the slave of the low-wage laborer and the low-wage laborer was the master. Such was not the case, and neither can a machine ever become our master, however much we may be dependent upon it.

Others find an objection in the fear that

we are coming to be dominated by *things*, or that we are becoming too much obsessed with the value of mere things. Before we pronounce the word "things" in too scornful a tone, we shall do well to consider carefully what mere things, in the sense of mechanical contrivances, have contributed, passively, to the larger and finer life of the present.

Without mechanical contrivances, our ability to communicate with our contemporary fellow-beings would be limited by the carrying power of the human voice and the running power of the human legs; and we could benefit by the thoughts and achievements of past generations only in so far as the human memory, supplemented by oral transmission, could hand them down to us. Even books and pictures are things. They carry the impression made by those who thought and worked at one time down to later times. They are therefore a means by which men who live at a later time may correlate their own thoughts and actions with those who thought and acted in earlier times. They vastly enlarge the possibilities of human cooperation both in space and time.

But books and pictures are not the only pieces of material that carry the imprint of one generation to future generations. Every piece of durable material on which any one has ever worked does the same thing. It is this ability of certain pieces of matter to carry and transmit the impression of man's work that enables large numbers of people, widely separated in time and space, to communicate with one another, to coordinate their labors and to make whatever approach we have been able to make toward a common life. The long line of inventors and workers who together made a machine are coordinating their labor with that of the one who uses the machine. Without some such medium as the tool or the machine, the general collective name for which is capital, each individual would either have to work alone or, at best, he could only cooperate with a very few who, at the same instant, happened to be together in one place.

Of course, machines are not everything. A modern Martha, in the most up-to-date house, with every known mechanical device

to save work, may lack the soul of Mary; but frankly, that is not the question. The question is, given the soul of Mary, would the fact that she had the benefit of labor-saving devices destroy that soul? To say Yes would not be much of a tribute to the soul of Mary. These devices merely relieve the bodies of the Marys and the Marthas of much drudgery, and release energy to be used in whatever ways their souls may desire.

It is interesting and probably significant that the things in which we, in this country, take most interest are not the kind that are to be passively enjoyed. Most of them require action, even strenuous action, on our part in order that we may get any satisfaction out of them. The whole field of sport, of which some of the critics think that we are excessively fond, is a field of strenuousness instead of passivity. The kind of wealth which Americans seem most to enjoy is not the kind that enables them passively to register pleasurable sensations, that is, it is not to be classified as consumers' goods; it is rather the kind that they must actively control and master in order to get the thrills which they enjoy. Wealth with us, more than with most other people, consists of instruments of production, and we use them productively in much the same spirit as a sportsman uses the instruments of sport. From the point of view of those who are primarily interested in consumption in the narrower sense, we are, as a nation, poor consumers. We are not interested in graceful consumption and elegant leisure, much less in gourmandizing. Our millionaires are not, as a rule, fat-necked, pot-bellied and pop-eyed; they are generally lean men who might easily be mistaken for hard-working students who burn much midnight oil. They seem to suggest a diet of crackers and milk rather than rich viands and costly wines.

CONCENTRATION ON BUSINESS

They whose interests centre in a titillated palate and a full belly rail at our prosperous men for not enjoying their wealth more than they do. Such minds can not comprehend the superior satisfactions of a life of action over a life of passive enjoy-

ment. It is fortunate for our working classes that prosperous men prefer to spend their money for new and better engines, machines and other instruments of production than for consumers' goods. It is also fortunate that our successful men do not retire from business as soon as their barns are full, saying: "Soul, thou hast much goods laid up for many years; take thine ease, eat, drink, and be merry." They keep at it, for the sheer sport of it, long after they have acquired enough to enable them to retire. This results in the massing of a larger quantity of high intelligence on business problems than would take place if every man of superior ability were to retire from the field as soon as he was able to do so. The latter habit would tend to leave industry in the hands of inferior men who never could make enough to retire; this, in turn, would result in inferior industries, and this in inferior wages.

But will not this accumulating prosperity eventually be too much for us and break down the morale of civilization? Much has been said and written, in a vein of high moral seriousness, on the uses of adversity, the Pentecost of calamity, and the purifying furnace of affliction. It is time for us to begin thinking, in the same vein of high idealism, about the uses of prosperity. Prosperity, like adversity, is selective; it is a winnowing fan which separates the wheat from the chaff. Some are improved by adversity, but others are demoralized by it. The same is true of prosperity. In a remarkable sermon delivered during the darkest days of the World War Professor Jacks pointed out that adversity and affliction were not in themselves good, but *when nobly borne* usually brought

good in their train, whereas when ignobly borne they could bring only evil. This also might be said of prosperity. There is no reason why, *when nobly borne*, it should not bring even greater good than adversity.

Men have been more carefully schooled for adversity than for prosperity. During the greater part of the life of man on this earth he has had a constant fight with adversity and has acquired considerable experience to help him in his fight. He has not had time to accumulate anything like the same experience in meeting the problems of prosperity. All his moral and religious systems that have been of any use to him have provided him with disciplines against the demoralizing tendencies of poverty and adversity. Where he has lived up to these disciplines they have fortified him, and neither poverty nor adversity could break him. Special classes have here and there escaped from adversity only to come in contact with the demoralizing influences of prosperity. There is not and never has been a religion or a moral discipline that fortified the prosperous classes against these new dangers as the old religions and moral disciplines had fortified them or their ancestors against the old dangers. Consequently, every aristocracy which the world has ever known has been a decaying aristocracy, not because it was an aristocracy, but because it was too prosperous. It has either disappeared or has been nominally preserved by constant recruiting from below. When all classes become prosperous, all will alike be attacked by the same enemy, and all alike will be in need of experience, moral discipline or religion to fortify them against the new danger.



Feminism Destructive of Woman's Happiness

By GINA LOMBROSO FERRERO

Daughter of the late Cesare Lombroso, famous criminologist, and wife of Guglielmo Ferrero, the Italian historian; author of *L'Anima della Donna* (*The Soul of Woman*), a book which recently excited sensational interest in Europe, and other works

The feminine heaven is higher and more difficult to attain than the masculine heaven, but it is futile to rebel against this fate.

Feminism wishes that woman should enjoy all the benefits enjoyed by men, thinking that she will add the happiness which she has enjoyed to that which she will enjoy in the future.

WHAT does feminism wish? What is feminism, that doctrine, that movement, which for nearly half a century has predominated as a subject of discussion in books and political reviews and outweighs all other factors in domestic and social organization? If one searches through the official literature of feminism, if one turns to the women who have headed or who head this movement, one will receive the most conflicting and contradictory answers. I myself have experienced this; my book, *The Soul of Woman*, has aroused the anger of the feminists of all the nations of Europe and also of America. Some women wish to win for women the right to do all that men do; others wish women to develop more completely their femininity; some demand a more rigorous morality than that of men; others free access to all professional careers now monopolized by men; still others ask for legislation to protect the working woman.

There is one point in common between all the feminist movements in all countries—the demand for woman of all the rights possessed by man, the determined effort to bring woman to the enjoyment of all privileges enjoyed by man, on the understanding that in this way woman will enjoy all pleasures she formerly enjoyed as well as those which only man enjoys.

That the movement has succeeded in imposing its program no one can deny. All

the barriers against which Feminism has struggled, all the barriers that seemed to bar women from happiness, all the differences of mission and profession formerly standing between men and women have fallen. Woman today has the vote as well as man, she can study in the same way and as much as man, she can become a priest or minister in certain religious communities, she can be a chauffeur, a diplomat or an astronomer, she can aspire to all positions and to all honors, she can participate in all games and sports enjoyed by man. It can even happen, as Miss Lenglen has shown, that a tennis champion can earn vast sums of money.

But when I am asked if these victories have increased woman's happiness, I reply that I doubt it. Never before has woman been so active, never before has she so protested against man, against society, against the world as at present, and in no country have these claims and struggles been more intense than in the countries where the victories have been greatest. An Italian proverb says: "He who is contented does not move." Hence it does not seem to me rash to conclude from this agitation that despite these victories woman is not contented, rather, that she is less contented than before, when she indulged in no agitation whatsoever.

How and why is it that woman is worse off, or, at least, is not so well off as before? Why has she not attained all that she desired and why do the things she desires and the things she has desired and obtained give her no joy?

It is not peculiar to woman, but is common to all humanity, to desire things that give no pleasure when they are obtained. It is given to only a very small minority of the human race to know itself—that is,

to know its own deep-lying aspirations; and as we physicians know from everyday experience, those who are sick have a tendency to lean toward a different, often opposite direction from that which would bring them joy, happiness, health and comfort. The sick person—and woman in this case can be considered as a sick person—is and always has been a very poor diagnostician and also a very poor physician for herself, for she tends to blame for her own troubles purely passing causes which have brought those troubles into relief and seeks a remedy for them in all the pleasurable sensations that she can recall. If I may cite a personal incident, I will relate a typical case in point. My little boy had been attacked by a stomach trouble which made it necessary for him to fast for several months. After the first month he began to manifest strange desires, now for some game, now for some play that he had seen months before, and finally for a coat of mail of Joan of Arc, and he nearly drove several of our family group insane supplicating us to obtain it for him. He could not sleep at night and prayed as one prays to God for the coat of mail. Oh, the coat of mail! If he could only have the coat of mail! Then all his troubles would be over. Nothing that he had ever had could give him the joy that the coat of mail would give him. Of course, as soon as he obtained the coat of mail the illusion passed and he began to cry heart-brokenly, doubly disappointed because the coat of mail had not effected the hoped-for miracle, and because he had nothing else in view. This desperate feeling lasted until another desire arose of the same kind and ending in the same way, and this alternation of moods lasted until he was allowed to eat a good substantial slice of bread.

Woman suffers in the same way as my child suffered, but the remedies that feminism proposes and has already proposed to her to alleviate her sufferings very much resemble the toys that my child yearned for so desperately—diversions which once obtained give her no pleasure and even perhaps intensify the evils which she desires to combat.

The lack of fixed objective, the moral

discomfort from which women are suffering today, had its inception almost a century ago, and culminated in the triumph of industrialism, of machinery, which broke down the old moral, social, intellectual and artistic traditions, the barriers which separated classes and sexes, minimized the importance of ingenuity, economy, manual skill, and the moral virtues in which woman excels, and by increasing, if only momentarily, the acquisition of wealth, increased the possibilities of intellectual and material enjoyments, in which man excels. The rôles of the two sexes have thus been inverted. In the Middle Ages, with their fixity of classes and sexes, with their need of economy, with their narrow limits, restricting intellectual, material and sensual pleasures, woman, whose pleasures are essentially moral and spiritual, whose aspirations are fixed, whose need of abstraction is negligible, was favored by exterior conditions; and man, whose aspirations are essentially material and intellectual, was sacrificed. Today, with the predominance of different and even antithetical exterior conditions, the situation is reversed: Man can expand freely and woman is sacrificed. That is to say, man has undoubtedly derived pleasure from these changed exterior conditions and woman has suffered.

ERRORS OF FEMINISM

It is to the credit of feminism that it perceived this gain and loss, and revealed it to the world. It is to the blame of feminism,

1. That it did not realize that man had derived pleasure from the new conditions, not because these conditions had in them any special value, but because they favored the real qualities and the real aspirations of man;

2. That it did not realize that the changed exterior conditions made woman suffer, not because they increased man's pleasure, but because they did not correspond to the special qualities and aspirations of woman;

3. That it persuaded woman that her sufferings were due to the specific evil intentions of man;

4. (Consequence of the first and second error) That it turned woman toward the

copying of man, persuading her that that which makes man happy or unhappy must also make woman happy or unhappy;

5. That it led woman, instead of resisting with all her strength the changed conditions, whereby she would have rendered great service to humanity and to society, retarding and diminishing the triumph of machinery, to help this movement, to exaggerate it, to despise past times and past conditions, which had so greatly favored woman.

As an excuse for feminism, it must be said that it is not easy to go back to remote origins for one's troubles and to induce others to do so, nor to resist a powerful current, while it is quite easy to persuade one's self and others that one's troubles derive from the evil intentions of others and that it suffices to copy exactly some one else who is happily situated, in order to be happily situated one's self. In the case of feminism, copying man has a special objection, in that woman and man are different and suffer and derive pleasure from different things, just as two individuals of the same species may differ from one another. In the one case, aspirations which are strong and permanent are, in the other case, minor and transitory.

The pleasures of glory, of independence, of riches, of power (easier to win today than yesterday), are enjoyed also by woman, just as the discomfort arising from rigid monogamy, from too much dependence and from the lack of power is also felt by woman. These sufferings are incidental and impermanent in woman, while aspiration to love, desire of being loved and of loving, of reuniting herself to continuous life, are in her stable elements; in man, on the contrary, passing and irrational aspirations to love are incidental and impermanent, while aspirations to power, glory and wealth are permanent and powerful impulses. The heroes and heroines of Ibsen represent this difference strikingly. Borkman, Sollness, love Kaia, Hilda, but they do not hesitate to sacrifice them to power, glory, wealth, while Hilda and Kaia are ready to sacrifice these desiderata, which they also prize, to love.

Woman was formerly sacrificed and repressed from the time of her birth, com-

pelled always to obey her father and mother at first, then her brother, her husband, her son later on. She was restricted in her control of the house and the family; she was barred from knowledge, arts and sports; barred from the pleasure of traveling, of independent action; molded on a single pattern difficult to vary, but ill-adapted to many; destined to be forever and only "the servant of others." She suffered from these repressions, but she suffered much less than a man would have suffered and, at all events, suffered less than the woman of today suffers, because those repressions, to which she seemed to yield of her own volition, this willing service which became to her second nature, exalted her extraordinarily in the esteem of men, and gave scope to those true, enduring and complete loves which former periods have recorded, and which repaid her a thousand times for the sufferings of which she was the victim.

ISOLATION AFTER VICTORY

Yes, woman has today the vote, glory, power, independence, often has wealth, freedom to do what she pleases; but she does not have love and affection, no one to think of her and of whom she can think; she is alone, alone and desolate. In the crowded streets which she traverses two or three times a day, among the human anthill in the restaurants where she eats, in the shifting lodging of the burning city quarters where she lies at night separated by a thin partition from hundreds and hundreds of other human beings; in the suffocating public offices, in the ministries, in the private offices where she works, where she dictates, where she teaches, where she lectures, in the crowded movie shows where she seeks diversion—woman is alone, much more desolate than in the lonely little room of former days, more alone than in a convent cell, more alone than in a provincial town, in the country, in the lonely room where formerly she was wont to rest and work.

The fact is that those beings that swarm around her, that jostle her on the street cars, that suffocate her in the office, that deafen her in her room, that bewilder her in the theatre, are alien to her. The people

who surround her vary every day and have no interest in her joys and sorrows, nor has she any reason or duty to be interested in them. As alien and variable as human beings are the inanimate objects that surround her, the bed in which she sleeps, the machine on which she writes, the window that gives her light, the table at which she eats. All these objects are not hers, they are only entrusted to her, they may change every day, as her superior or inferior or her neighbor at table may change. Nothing around her is permanent or fixed, nothing accompanies her in life, and nothing and no one can be the confidant of her thoughts. She is a mere automaton in the office, confronted by unfitting work, which she cannot galvanize into life, of which she understands neither the reason nor the utility; a mere automaton at the theatre, or at the movie, where she goes to benumb her mental suffering. She is isolated at home where every one thinks only of himself; she is alone in the ever varied and variable cities where she goes for pleasure or instruction; from one moment to another she may disappear without any one to weep over her or regret her disappearance. She has nothing of her own that is fixed, linked to herself, to think of or that will think of her, to wait for or that will wait for her, nothing to act for or that will act for her. Objects and human beings surrounding her change and have the right to change without her having the right to weep for them or to regret them.

This isolation, this variability, which bring no sorrow or suffering to man, who is wholly self-centred; this indifference of the world to the individual, which pleases man, who hates emotions and bothering about other people, is unbearable to a woman, who yearns to have communication with others, who aspires to love and to be loved, to have something or some one to devote herself to and something or some one to her devoted. To her, indifference is worse than intense hatred, continuous change worse than absolute fixity, isolation worse than complete solitude, for hatred can be converted into love, and in solitude, in fixed conditions, she can clothe the plants, the animals and the things around her, even they are not her own, with

her own sentiments, she can love them and imagine herself loved by them.

The world wonders why the woman of today, launched on a campaign to triumph over the austerity of masculine and feminine customs, over the infamous practice which forced young girls to sell their own bodies in obedience to their parents' command, to win a love more sacred, loftier, purer, than the old, has fallen into the most unpoetic sensuality, in her claim to the right of maternity and free love. But this is the logical consequence of the victories won and of the isolation resulting, and from which she cannot escape except by yielding to the grossest sensuality, although this is the form of love that she least enjoys.

The fact is that it was easy for her to win the vote, to attain the same education as man, to gain access to masculine professions, but she did not succeed in realizing the rest of her program, which she did not proclaim from the housetops, but which she secretly cherished and desired more than all the rest—viz., *to persuade man to love her outside and beyond the limits of the traditional point of view, outside and beyond the limits of virtue, outside and beyond consideration of the services that she might render him and outside and beyond the senses, at the very time of their enjoyment.* Was the attainment of this part of her program possible? Will it ever be possible, in a more or less remote period? I am absolutely convinced that it will not.

Feminism has persuaded woman that the traditional morality to which she was previously bound, the severe repressions to which she was trained, the loftier sacrifices demanded of her, as contrasted with man, the little house corner in which she was confined, were rules and restrictions imposed by man for the pleasure of causing suffering, a survival of that love of suffering which pervaded the world in the Middle Ages under the influence of austere Catholicism, that they were traditions and rules established by men out of hatred for women. This is not the case. Moral rules and traditions represent the minimum of sacrifice which experience judged necessary to guarantee to each and all the satis-

faction of given instincts within a community in which other individuals live who have the same or different desires. The traditions which ancient civilizations imposed on woman, favored qualities and habits necessary to enable woman to attain the satisfaction of her deepest and most sacred instincts, to permit her to have some one to love, in whom she could centre all her life. Man can be selfish, for he does not depend on others for the satisfaction of his desires. Woman cannot be selfish. Without being ready to serve others, to be useful to others, one cannot excite desire as woman wishes to excite it; without expressions, sacrifices, demonstration of one's altruism, one cannot console or love as woman desires to console and love; without winning the esteem and the admiration of man, she cannot win from him continuous affection. To persuade man to depart from the traditional point of view, to persuade him to love her outside the limits of virtue, and irrespective of the services that she can render him, did not prove difficult, for that is his favorite point of view. But once the man has ceased to love the woman from the viewpoint of the usefulness that she can have for him, he adopts the viewpoint of beauty, of provocativeness, the viewpoint, that is, of the pleasure that he may derive from her.

I know that feminism did not wish man to judge woman from the viewpoint of culture, of schooling, of ability, strength, responsibilities assumed, the capacity she shows for working outside the home: these are qualities that man appreciates in other men; qualities that win his respect, but not his admiration, much less his love for a woman.

Love is related to sentiment, not to intellect, to moral or physical, not to intellectual qualities, to the qualities useful for the race, not to those useful to individuals, to the qualities which most differentiate the two sexes, not to those that are held in common and in which the sexes are alike. Nor can the desires of one sex change in any way the desires of the other, any more than our desire can endow the sheep with the courage of the lion, or the lion with the gentleness of the sheep. Psychological

laws have their own logical necessity, as fixed and inevitable as the law of physics. As soon as the old tradition was broken under which man loved woman because of his admiration for her altruism, her gentleness, her devotion to him, and he ceased to desire woman because of his gratitude for the services that she could render him, he cast woman aside as a permanent companion and saw in her only the female who could excite and satisfy his senses. How and why has the feminine mode of dress become so provocative, as much so if not more than for a few years during the French Revolution? Why do women of every class and rank try so hard to imitate the courtesan? Because woman today feels that men now love her as a courtesan, because she feels instinctively that this is the only way now left to her, viz.: to excite, instead of the admiration and respect to which she was able previously to aspire, some strong though transitory sensual passion.

IMITATION OF MEN

For similar reasons she imitates man. In this imitation, it is true, there is a professional necessity. Once woman like man holds a position in a bank, sits among Government ministers and preaches from church pulpits, runs her own motor car or navigates the air in airplanes, or competes with man for championships in sports, she must also copy his mode of dress, as the "postwoman" and the street car "conductress" copied it during the war-time period. Once woman has become accustomed to the masculine attire required by her professional needs, it cannot be wondered at that she should continue to wear it in ordinary life, nor that, if it gives prestige, it should spread also to non-professional women.

But if, on the one hand, woman copies man because of logical professional reasons, she copies him much more because she feels that man is avoiding her; because she feels her prestige diminishing; because she perceives that man is now preferring the company of other men to hers; because, by imitating him, she hopes to keep her hold on him. Did not man complain that he could not bring his sister with

him to the country because her clothing hindered her, or to the club because smoking was indulged in there? Now, by adopting trousers and smoking, woman hopes that men will bring forth no more excuses for leaving her at home. Woman today has won the right to bob her hair, to dress in men's attire, to have her own clubs like man, to insult man like a courtesan, to dress—or rather, to undress—like a courtesan, to change love and clothing like a courtesan.

But is this a sign of victory or defeat? Is it a sign of triumphant superiority or of recognized defeat? The superior person does not copy his inferior, the conqueror does not copy the vanquished; quite the reverse. The middle-class citizen does not dress like a workman; the workman dresses like the middle-class citizen. The model, consciously or unconsciously, reveals the aspirations of the copier. The courtesan copied the virtuous and respectable woman, when the latter attracted man by her modesty and virtues, when the chaste and virtuous woman enjoyed the prestige of an attraction greater than that of the courtesan. Man copied woman, her way of thinking, her dress, in those periods when woman enjoyed the greatest prestige and when he did not dare to approach her without making himself in some way worthy of her. Woman today copies man because she feels it necessary to copy him to get closer to him, because she thinks him superior, because she wishes to enter into closer relations with him, to fuse her being in his. Woman copies the courtesan today because she feels that man loves in her what is most different from him, what is most feminine in her, and not wishing and not being able to display her most diverse and most feminine traits in the intellectual field, she is compelled to display as much as possible her physical differences.

Protests are heard today against the fashion which daily shortens the length of women's skirts or invents the tailor-made costumes which are an approximation to man's attire; but fashion inevitably follows the general trend of the times and lends itself to the help of woman following her own point of view.

But all this cannot endure. All this is

artificial and degenerate. The present fashions are ephemeral; they make woman ugly and do not win for her the love she longs for. I believe that a general change of tendency is not far away, and I believe that this change will first arise in America, where feminism was born and where it has now reached its climax, and hence, logically, where more than anywhere else it must begin its decline. I see signs of this not only in the wide distribution of my book, *The Soul of Woman*, which embodies an attack on feminism; not only in the many letters received from America from women who express their weariness of a life empty of affection, but also and much more in the special orientation of American feminism, which has resolutely begun to take steps to avert the menace of immorality which had overflowed immediately after the barriers had been removed. It was from America that that feminism came which seeks to persuade woman "to renounce love" as a weakness which should be left to those stupid women who have no other arrow in their quiver, a surviving atavism over which intelligent women should triumph, as an error taught by the traditional type of education which they must uproot and leave to the weak, for the intelligent woman, the woman who studies, the superior woman, will find in independence, in wage-earning, in glory, greater joys than in love.

OLD STANDARDS THE SOLE SOLUTION

I believe the roots of love too deep-lying and too necessary for woman's true mission in life to enable this movement to win success; I believe that the urging of men and women to follow the same careers and the same ambitions has grave dangers because of the competition to which it will give rise, and the hostility which this competition will engender between man and woman; but I believe that from this feminism it will be easy to pass to a different tendency which will solve all woman's problems.

A very intelligent French woman who directs one of the most important juvenile associations of France wrote me a somewhat discouraged letter about the new generation of girls. It is impossible, she said,

to educate and enlighten girls by appealing either to their heart or their intellect; and it seemed as if it would finally become necessary to appeal only to their selfishness. 'I place considerable hope in selfishness.

The woman of today is tired of all these artificial games in which she has trifled her time away in these last years; she longs, as it were, for a slice of plain bread to satisfy her hunger. Once convinced there is no other way to love and win love than by a return to the old morality, she will resign herself thereto much more quickly than the world imagines, and the greater the excesses of flirtation will become, the more willingly and rapidly will she come back into the old hive, for such excesses will always and increasingly alienate those permanent affections which she yearns for more than anything else in life.

Yes, it is true that the traditional woman corresponds to the ideal that man has built up around woman, but it also corresponds to the ideal that man must have of woman in order to be able to give her, not a moment of violent, transitory love, but protection and constant affection. If woman wishes to love and to be loved, there is no other way in which she can attain this.

Let us even admit that what man loves in woman is a mirage; yet if woman wishes to be loved, she must incarnate that mirage. The man can be what he is, for he does not depend on others for his desires and aspirations; but woman, who aims above all to bring joy to the man she loves, must continually strive to reproduce in actual life what man desires her to be. And it is not enough for woman individually and separately to represent this mirage; she must compel all women to whose class she belongs to approach this ideal, otherwise the whole class become disqualified.

Thus will woman attain happiness. A distinction is needed here. No movement, no party, no society can propose as a definite aim the happiness of its members, a happiness that may be placed in the most contradictory aspirations; it must be restricted to precise aims, useful for all; it must plan to guarantee the satisfaction of those general instincts which exist in all

its members and are useful to the mass, in the measure in which this satisfaction is possible to all, without harming others. In the same way society seeks to guarantee all its members food and work and lodging sufficient for the support of life, and for protection against hunger and cold, which are real, certain, general needs, without which the happiness of the individual is impossible. So giving woman a way of having some one whom she can make the centre of her life and who makes her the centre of his life, means assuring woman of the appeasement of her first natural instinct, a guaranty if not of happiness, at least of the satisfaction of those needs without which her happiness cannot exist. Man does not have these needs, because his happiness is easier of attainment, and this explains why in all climes and among all races man has always been envied by woman.

The feminine paradise is loftier and more difficult to attain than the masculine paradise! The way that leads thereto is long and stormy, strewn with briars and sharp and painful thorns. From time to time during the course of history woman rebels against this fate; furious to perceive that man can reach his own heaven with so little effort, she wishes to invade man's paradise. But when she reaches it she finds that heaven worse than the earth which she previously inhabited. The fish that breathes in the waters cannot breathe in the air; nor can the butterfly, accustomed to live on flower pollen, satisfy itself on fruit. The heaven of every individual is a measure of his own nature, nor can the fact that it is easier or harder of access have any influence on the possibility of changing it.

Love is the fixed, unchangeable aspiration of woman. Love is the glowing sun of her heaven—not love in its vulgar and sensual form of physical attraction, but as conceived by woman, having some one to think of and who thinks of her, some one to devote herself to and who devotes himself to her, as in the case of a mother and her child. Let woman make this her aim, and it will appease her longings better than freedom, independence, the franchise, wealth, power, or glory.

The New Magna Carta of British Imperial Unity

By HOWARD ROBINSON

Professor of History, Miami University, Oxford, Ohio

THE Imperial Conference that met this Fall in London has focused attention on the remarkable development of the British self-governing Dominions. Very important advances have been made in inter-imperial relations since 1914 in particular, although the beginnings of the movement go back at least forty years. It is a growth of prime importance to Americans and to the world at large. Yet so quietly have the changes come that the rise of the Dominions to nationhood is not readily understood. Mackenzie King, the Canadian Prime Minister, in his opening address at the recent conference, declared: "The Commonwealth of British nations is such an unparalleled experiment that it is extremely difficult to explain it to foreign countries, and scarcely less difficult for British subjects to understand it themselves." A brief survey of the changes that have come since 1914 will clarify the meaning of the phrase "British Commonwealth of Nations."

In the so-called Old Empire of Great Britain that existed at the time of the American Revolution the thirteen American Colonies were the only extensive territories possessing a large English-speaking stock. When these Colonies became self-conscious and desired to be self-governing they faced a mother country unwilling to grant them self-government within the Empire. The only alternative to complete dependence seemed complete independence. The result, as we know, was a Declaration of Independence by a group of Colonies that wanted to be self-governing and felt that they could not be so unless they "dissolved the political bands which connected them" with Great Britain.

At that time the British Empire included only three of the present six self-governing Dominions—Canada, Newfoundland and Ireland. But Canada was a mere fraction of the present Dominion, and its population was largely French. Newfoundland was a fishing station and Ireland a perennial problem. Soon after the loss of the American Colonies Great Britain began to acquire the territories that form the other three self-governing Dominions. But their beginnings were quite unpromising. Australia was at first only a convict station. New Zealand seemed not to have the possibilities of today. The Dutch settlement of South Africa was taken during the Napoleonic wars, simply because it lay on the route to India.

In the nineteenth century, however, a great change took place. The industrial revolution in Great Britain bred an interest in raw materials and markets. Besides, the widespread distress among the lower classes as a result of the great industrial changes led to an emigration movement even larger than that which created the Thirteen American Colonies. Thousands left the mother country to found new homes across the seas. Many came to the United States. But great numbers found homes in the six British colonies that have been mentioned.

In this way new Englands were being formed across the seas. Inevitably they came to demand, in the course of time, the same rights of self-government as had been sought by the Thirteen Colonies in the preceding century. Canadians and Australians and New Zealanders wanted to govern themselves.

Canada took the lead. In 1837—the

very year in which Victoria became Queen—there were rebellions in both Quebec and Ontario because the mother country was not liberal enough in the government of the colonies. The rebellions were easily put down, but instead of repressing the colonies, Great Britain sent over a deputation to find out what was the matter. Lord Durham's mission, as it was called, had the courage to advise the British Parliament to grant Canada self-government in local affairs. This is commonly known as responsible government, because the executive is responsible to the local Legislature and not to that in London. There was hesitation at first. But responsible government was in actual operation in Canada before the end of the decade, in 1847, to be exact. It was accomplished by no specific declaration of rights, but by the simple process of instructing the Governor to act in agreement with the majority of the Assembly in the colony.

COLONIAL AUTONOMY

This privilege gradually spread to the other English-speaking colonies. The Australian colonies won responsible government in the fifties. Newfoundland and New Zealand became self-governing in the same decade. Cape Colony rose to this distinction in 1872. The reign of Victoria was not half over before there were the beginnings of five self-governing groups overseas. They were to follow a line of development not unlike that of their older associate, the United States. The only difference was that their democratic growth took place entirely within the Empire instead of without.

The next important step was the tendency to federate these self-governing groups into a strong unity. This occurred about fifty years ago just as the new imperialism was "attacking" the European nations. Germany, France, Russia, Belgium as well as Great Britain were badly infected with the virus of colonialism. The British Empire felt this as a menace, and federation arose as a way to bring about a safe and "permanent unity of the Empire."

The principal result of the movement toward federation was the beginning of a

series of conferences at London between Great Britain and its self-governing colonies (as they were still called) to provide for imperial defense and other common interests. Before 1914 five important conferences were held, the first on the occasion of Queen Victoria's golden jubilee in 1887, the last in 1911. During this time a number of important changes occurred. Most of the Dominions, as they came to be called, developed into great federations. But there was a disinclination to federate with the mother country. The Canadians and the Australians and the other colonial nationalities felt that their free evolution would be hampered if they were bound too closely to Great Britain.

Indeed, the constitutional bonds uniting the self-governing Dominions to Great Britain seemed very frail as the World War opened. There was the Governor General, who represented the Crown and who gave his formal assent to Dominion legislation. The Parliament of London still possessed the technical right to pass laws for the Empire as a whole. But it was seldom used. There was also the right of appeal from the Dominion courts to the Judicial Committee of the Privy Council in London. But this seemed to indicate a definite superiority of the mother country; in consequence there was a tendency on the part of Dominion lawyers not to use this right of appeal. The Dominions even had the right to make separate commercial treaties with foreign countries. But foreign policy, in general, was still in the hands of the Cabinet in London.

It is not unnatural, in consequence, that the bonds uniting Great Britain and the English-speaking Dominions in 1914 seemed weak. The situation was truly anomalous. But the war served as an epoch-making event in British imperial history, for it showed the strength of the Empire's structure; unseen and imponderable bonds were revealed.

The British entry into the war was by virtue of a declaration made by a Government responsible only to the inhabitants of Great Britain. This was inevitable, since the attempt to reorganize the Constitution of the Empire before 1914 had failed to

form an executive responsible to the Dominions as well as the mother country. Yet the Dominions spontaneously accepted the war which the authorities in Great Britain assumed on Aug. 4, 1914.

LLOYD GEORGE'S POLICY

It was not long, however, before the Dominions shared in the war councils of Great Britain. When Lloyd George came into power in December, 1916, he conceived the idea of sharing with the Dominions the problems of war government. Telegrams were sent to the Dominions inviting the Prime Ministers to attend the meetings of the War Cabinet as regular members. As a result, there convened in 1917 the Imperial War Cabinet. So successful did the experiment prove that Lloyd George proposed at the last meeting that such a Cabinet meet annually and become, to use his words, an "accepted convention of the British Constitution." The British Empire seemed all at once to have grown up.

Dominion statesmen were not slow to show their interpretation of the step. Sir Robert Borden, at the time Prime Minister of Canada, declared in 1917 that the representatives of the Empire's self-governing Dominions met in the Imperial War Cabinet "on terms of equality. We meet there as equals. Ministers from six nations sit around the Council Board, all of them responsible to their respective Parliaments." General Smuts, the representative from South Africa, was just as explicit: "The British Empire is much more than a State. We are a system of States, evolving all the time toward new destinies. Beyond the Crown colonies there are the self-governing Dominions, a number of nations and States almost sovereign, almost independent, who govern themselves, and who belong to this community of nations which I prefer to call the British Commonwealth of Nations."

When the Peace Conference convened there were even greater departures from time-honored practices. The Dominions took part in the conference, although a Dominion had never shared before in the arrangement of an international peace.

They were accounted among the small nations. Sir Robert Borden was occasionally Balfour's colleague in the Council of Ten, and he acted as Chairman of the British Empire delegation in the absence of Lloyd George. When the treaty was finally signed it received the signatures of the Dominion representatives.

Another important evidence of Dominion status came when Germany's colonies were distributed to the victors. Three of the Dominions obtained mandates, New Zealand receiving German Samoa, Australia German New Guinea, and South Africa the adjacent German Southwest Africa. Australia and South Africa are careful to insist that their mandates came directly. In respect of these mandates they report directly and solely to the League of Nations at Geneva. And there was the question of Dominion status in the League. Here again Dominion statesmen were careful to safeguard their newly won position. They became original members of the League on the ground that they were self-governing. Canada and the other Dominions each have a vote in addition to Great Britain, just as Cuba, Haiti, Panama and other States with which the United States is closely connected have votes.

Such were some of the changes wrought by the war. The old British Empire was partially replaced by a novel Commonwealth. In the history of the British nations it may, in the future, be looked upon as one of the chief results of the conflict.

The years since 1918 have been punctuated by a number of interesting happenings that bear on the growth of nationhood within the Empire. Three imperial conferences have been held, in 1921, 1923 and 1926, respectively. At that of 1921, the first held after the war, the new status was emphasized in a number of ways. The discussion of foreign relations was paramount, because the Dominions sought to have their new position defined in particular in this matter. They had shown their interest in foreign policy during the war, but had not shared in its practical exercise in 1914, for war had begun before the Dominions had time to decide separately whether or not they wished to enter. Wil-

liam M. Hughes, the Prime Minister of Australia at the time, thus put it in his address at the conference: "The right of the Dominions to sit at the council table on a footing of equality must not only be considered but settled. This voice in the councils of the Empire must be a real one, for the whole Empire is concerned in foreign policy, though this was regarded for many years as the sole prerogative of Great Britain." Nothing definite was done at the time in spite of this definite statement of the key matter in Dominion status.

In the next year, however, a tacit recognition of the new position was attained at the Disarmament Conference called by President Harding. The Dominions received separate invitations to send their delegates, not as British delegates, but as delegates of the separate British nations. Australia, New Zealand and Canada were, as a result, represented directly, and their delegates signed the treaties concluded at the conference on behalf of their respective Dominions. South Africa chose to be represented by Balfour, who was the chief British statesman present. He signed the treaties twice, first as a representative of Great Britain and a second time as the delegate of South Africa.

Shortly thereafter Dominion nationhood found even more explicit form in the treaty between Great Britain and Southern Ireland, by which the Irish Free State came into being. This is no place to recount the centuries old mistreatment of Ireland and the undying hatred of the Irish for their English and Scottish rulers. Suffice it to say that, after several home rule bills had failed, the Government of Great Britain decided to offer Ireland Dominion home rule. Just at the end of 1921 the British Parliament approved the treaty and it was accepted by the majority of the Parliament of Southern Ireland early in the next year. The document is exceedingly important, for it embedded in an official treaty the status for which the Dominions had long been contending. The first article reads: "Ireland shall have the same constitutional status in the community of nations known as the British Empire as the Dominion of Canada * * *

and shall be styled and known as the Irish Free State." The fourth article contains the oath to be taken by members of the Parliament of the Irish Free State; by it they swear to be "faithful to his Majesty King George V, in virtue of the common citizenship of Ireland with Great Britain * * * the group of nations forming the British Commonwealth of Nations." The treaty, moreover, gave the Irish Free State the right to have its own defense force, and seemed to grant, by implication, at least, its right over questions of peace and war. The new Dominion became a member of the League of Nations.

The Conference of 1923 dealt especially with the treaty-making power. Lloyd George had aroused the ire of Dominion statesmen by offering British imperial help in the Near East crisis of the previous year, and without taking the pains to consult all the Dominions as to their feeling in the matter. As a result, the negotiation of treaties was carefully thrashed out in the Imperial Conference of 1923. It was decided that no treaty was to be discussed by any of the "Governments of the Empire" without considering its possible effects on the other parts of the Commonwealth. The other Governments of the Empire must know of the negotiations while they are in progress. When a treaty is signed it must be signed by the Government concerned *only* for that Government. If it affects more than one of the Governments, it must be signed by representatives of all concerned. This important conclusion regarding the treaty-making power seemed to bring the Dominions one step further toward full nationhood.

The Conference of 1926, recently concluded, found the imperial constitutional relations again at the front. This was especially so because three champions of Dominion nationhood represented their respective States at the conference, Prime Minister Mackenzie King of Canada, Prime Minister Hertzog of South Africa and President Cosgrave of the Irish Free State. Hertzog, indeed, had talked of secession in earlier years, although he has been somewhat less outspoken since becoming the head of the Union of South Africa. He

recently put his position in this fashion: "It is to our interest to remain a member, but we want the world to know that we are there of our own free will and that we can withdraw any moment that we decide it is no longer to our interest to remain."

PROTESTS AGAINST LOCARNO

This feeling was accentuated by certain acts of the British Government during the past two years. The Dominions, for example, were not represented at the Lausanne Conference. But the Locarno agreements have raised a greater storm, for by those commitments Great Britain assumed certain definite obligations with regard to the European situation. The Dominions were again unrepresented, and they have done some plain speaking about Locarno. Great Britain did go so far in one article of the Locarno agreements as to absolve the Dominions from the Locarno obligations unless they voluntarily assumed them. But that is not satisfactory to the Dominions. They believe that Great Britain violated the imperial agreement of 1923 in assuming an obligation to go to war without first obtaining the consent of its partner States.

And there is the matter of the Governor General. It has long been taken for granted that the Governor General of Canada, for example, was appointed by the Crown in Great Britain to a position as decorative and as harmless as that held by the King in Great Britain. But Canadians recently found to their surprise that this could not be assumed. Lord Byng, Canada's Governor General, went so far last Summer as to refuse to dissolve Parliament at the request of Mackenzie King. The general election that soon followed was fought largely on this issue, with Mackenzie King and the Liberals as victors. This matter has been settled by the recent conference, for henceforth the Governor General bears the same relation to the administration of public affairs in a Dominion as does the King in Great Britain. The Governor General, moreover, is no longer the representative of the British Cabinet, but merely a viceroy. Henceforth communications are not to be through the Governor General but directly from Cabinet to Cabinet.

One of the evident signs of nationhood is the right to send and receive ambassadors. This, too, has been won. Canada has just appointed its first Minister to the United States. Vincent Massey will be head of the Canadian Legation and will negotiate directly in matters that concern his country. South Africa is demanding the same right of sending a Minister to Portugal. It is not unlikely that the United States will soon receive Ministers from the Irish Free State, from Australia and from the other Dominions.

The demand for an official statement of this new position of the self-governing States within the Empire has at last been definitely met. According to the report of the recent conference providing for the reorganization of the Empire [the text of which will be found elsewhere in these pages], the self-governing States are declared to be "autonomous communities, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs." And this epoch-making report continues: "The rapid evolution of the oversea Dominions during the past fifty years has involved many complicated adjustments of old political machinery to changing conditions. The tendency toward equality of status was both right and inevitable. * * * Every self-governing member of the Empire is master of its own destiny. In fact, if not always in form, it is subject to no compulsion whatever."

Does this mean that the Empire is on the eve of dissolution? Is the new imperial arrangement but a camouflage of a certain disintegration? The great generality of the British believe not. The Empire is loosely builded; to the outsider it seems a very frail structure. But the effective bonds are a common tradition and a common political philosophy. The interesting and novel experiment of endeavoring to keep together an Empire of co-equal States without the machinery of an ordinary federation, is likely to be a success because the various British nations are essentially one on the main issues of imperial politics. Certainly the like has never before been attempted.

Turkey's New System of Laws and Courts

By JASPER Y. BRINTON

Justice of the Court of Appeals, Mixed Courts of Egypt

IN the Summer of 1919, General Harbord, the American Chief of Staff in Paris, was appointed by President Wilson to head a mission to Armenia, and I, as a lawyer, was asked by the General to join the mission for the purpose of reporting on the judicial matters that might be involved. Thus I came to make a survey of governmental institutions, including the judicial systems, as they then existed, not only in Turkey but in Transcaucasia, that is, covering also the three recently established republics of Georgia, Azerbaijan and Armenia, which are now part of the Soviet Federation. I then returned to the practice of the law in America, little dreaming that the Near East would soon again claim my services. The Christmas of 1921, however, found me once more in the Eastern Mediterranean, this time occupying a seat in the Court of Appeals of the Mixed Courts of Egypt and close enough to the Turkish stage to be more or less in touch with the progress of events in a country which, until the war, had been Egypt's nominal suzerain. It was not, however, until 1923 that the Turkish problem again came under my observation, from an American angle, when I visited Lausanne during a Summer vacation during the period of our negotiations with the Turks. In the following Summer I again visited the United States, and, learning with surprise of the opposition which had been raised to the Treaty of Lausanne, particularly over the abolition of the capitulations, and the alleged inadequacy of the Turkish law courts to protect American interests, I decided to return to Egypt by way of Constantinople in order to form my own first-hand opinions as to the developments which had taken place since my previous visit. The following Summer again, on returning to the United States, I found the treaty question in ex-

actly the same situation as at the time of my previous visit, and precisely the same reasons as before led me again to repeat my visit to Turkey. It is these visits which form the basis of the observations which are recorded in this article.

Apart from a purely sentimental harking back to the cruelties (too often provoked and mutual) which stained a despotic and long discredited régime, and, as a result of which, it is suggested we should have no dealings whatever with the Turk, the one reasoned point of attack on the Lausanne Treaty has been the alleged surrender of the protection of foreigners under the capitulations in favor of inadequate "Turkish justice." This point was well grasped by the American signatory to the treaty, Mr. Grew, the present Under Secretary of State, when he observed during the Conference of Lausanne that "upon the administration of justice, more perhaps than upon any other factor, will depend the economic future of Turkey, and its friendly relations with other countries." This was three years ago. What has been Turkey's response to this friendly warning? What, if any, practical assurances are afforded today that the foreigner may look for justice in her courts?

In 1914, shortly after the opening of the war, Turkey advised the powers of the abrogation of the capitulations, which, she declared, were "an intolerable obstacle to all progress in the Empire." She added that she would thereafter adopt as the basis of her relations with other powers "the general principles of international law." Since that date, more than ten years ago, the capitulations have in fact not existed in Turkey, and by the treaties, already ratified, between Turkey and the leading nations, as well as by her treaty with the United States, which now awaits ratifica-

tion, the complete abrogation of the capitulations is made the primary stipulation. What then does the foreigner lose by this abrogation? And what, if anything, does he gain by the reforms which Turkey professes to have introduced since the new régime came into the saddle shortly after the ending of the war?

Capitulations have often been represented as privileges wrung from an uncivilized country by Christian nations who were unwilling to trust their subjects to the protection of the Ottoman law. Modern researches, however, have sufficiently established that the capitulatory system long antedated the appearance of the Ottoman Turk in history, and that in the long run it may be taken to represent the expression of a working agreement based on mutual commercial interests. It was to the interest of all concerned that closely united foreign colonies should be conceded a large measure of self-government by the country in which they were established and to whose commercial prosperity they were materially contributing. The unity of State and Church, and the restriction of the law of the Koran to Mohammedan subjects, was an added reason for the continuation of these privileges of local self-government at the date of the Ottoman conquest of Constantinople in 1453. As remarked by one of the foremost American authorities on the subject, Professor Brown of Princeton University, "the essential fact to be noted is simply that the Turks, in the midst of a great triumph, substantially and generously recognized the right of the conquered to be governed by their own laws and customs in matters held sacred by the Moslems as well as in matters not of vital concern to the State."

Under the capitulations all foreigners had a right to invoke the jurisdiction of their Consuls, sitting as a court, and thus to escape the jurisdiction of the Turkish courts in matters involving only foreigners whether of the same or of different nationality. (In the latter case the plaintiff was required to pursue the defendant in the latter's consular court.) This privilege applied not only to all civil litigation (including in that term purely commercial lawsuits which, in the Latin system, are

carefully distinguished from civil litigation) but also to all criminal cases where the charges were not preferred by Ottoman subjects. In the case of the United States, Belgium and Portugal, moreover, by virtue of special treaties, a claim to complete criminal jurisdiction, regardless of the source of the accusation, had been asserted for nearly one hundred years. This claim had been stoutly resisted by the Turkish Government, and had given rise to an interminable diplomatic controversy turning on the conflicting translations of the treaty.

In cases other than those mentioned, foreigners were compelled to accept the jurisdiction of the Ottoman courts, but with certain very definite, and, to the Turkish mind, very galling restrictions.

THE IRRITATING DRAGOMAN

In the ordinary criminal courts and in the civil courts in cases involving not over (approximately) \$50, it was required that a functionary or dragoman from the consulate of the foreigner involved should be present at the trial. The functions and influence of this nondescript official varied according to the standing of the nation which he represented, the attitude of the judge engaged in trying the case, and the dragoman's own energy and vigilance. Although he exercised no vote, his signature to all important papers was considered necessary to give them validity, and thus it lay within his power to turn any case into a subject of diplomatic wrangling. Needless to say, his presence was a source of endless irritation to the Turkish judicial authorities. In the special class of commercial lawsuits as well as in purely civil cases involving sums in excess of \$50 the foreigner who was in litigation with an Ottoman subject found himself before a special Turkish court known as the Commercial Tribunal, composed of three Turkish judges and two foreign assessors named by the Consulate interested, not to speak of the presence of the ubiquitous dragoman.

Need it be said that this system of supposed "privileges," of which only the bare outlines have been sketched, was about as far from representing a well-ordered ju-

dicial system as it would be possible to conceive? Although the consuls exercised full judicial authority and functions, they could make no pretensions to being judges trained in the administration of the law. On the other hand, the conflicting nationalities, languages and usages involved in litigation of the Near East, invited with increasing frequency the bringing into these so-called courts of questions calculated to tax the best abilities of the most experienced judges. To this inherent weakness was to be added the singular inaccessibility of American "consular law." The statutes direct the puzzled young consul struggling with a complicated commercial problem first to "the laws of the United States" and then to the "common law and the law of equity and admiralty." If these fail him he is then authorized to resort to the decrees and regulations made by the American Ministers "to supply defects when neither the common law nor the law of equity or admiralty, nor the statutes of the United States furnish appropriate and sufficient remedies." Obviously it was idle to expect even the most competent and conscientious consular officer to transform himself at will into a jurist qualified to administer justice under such a mandate.

There were other defects in the system not less serious. When parties contracted they never knew before what jurisdiction they might be called upon to plead. When the possibility of a litigation came in sight it was to the interest of every party to get his hands on whatever property there might be involved so as to provoke suit in his own consular court. Worse still, suit had to be brought in as many courts as there were defendants, as foreigners of different nationality could not be forced into the principal cause. From every point of view the system was a rude makeshift whose disappearance was a necessary step to the inauguration of any system of justice worthy of the name.

Nor was any brighter picture presented in the Commercial Courts. In my report to General Harbord in 1919, long before the question of the Turkish Treaty had made its appearance in the political arena, I summarized the opinions of the most quali-

fied observers, including judges who had sat upon those courts, and remarked:

The greatest confusion exists in regard to the law applied in the Commercial Courts, which are called upon to render their decisions without any definite jurisprudence upon which to rely. The Ottoman Civil Code, having been compiled from the religious law, is frequently out of harmony with the European law, and the judges find themselves, in consequence, between two fires, the Minister of Justice and the Ottoman litigant contending for application of the Ottoman code and the foreign assessors seeking the application of the foreign law, often upon implied threat of refusal not to acquiesce in the decision. The result of this is that the decisions are generally compromised, often based on no scientific jurisprudence whatever.

YOUNG TURK LAWYERS' RESOLVE

In the presence of such chaos, can it be wondered at that the group of active young lawyers who were growing up at the time of the beginning of the Young Turk movement and who were coming to maturity at the ending of the war, clenched their jaws when it came to the question of imposing again upon their country judicial shackles which barred all steps to legal progress? The Allied Powers in their treaty with Turkey in 1923 recognized the justice of this contention and conceded the right of a sovereign State to devise the remedies for abuses which have borne far more heavily upon the Turkish people than upon the foreigner. Putting aside the question as to whether in view of the completed abandonment of capitulatory rights by other nations, the United States could under any circumstances base a claim to their continued existence on alleged treaty rights and also the equally delicate question as to the right of Turkey to put an end to a century-old treaty which had become out of harmony with changed conditions, let us inquire how far those remedies have been realized since the signing of the Treaties of Lausanne.

In 1919, in the place of the single system of justice familiar to the Anglo-Saxon mind, five separate systems of justice disputed among themselves, in hopeless confusion in the Turkish judicial field. Two of these, the so-called Commercial Courts and the Consular Courts, have already been

mentioned. The third was the normal Turkish Civil and Criminal Courts, which, according to Western conceptions of justice, should embrace the entire field. The fourth was the system of Turkish Religious Courts, whose jurisdiction, though primarily devoted to religious matters and questions of family law, covers a large variety of other subjects, including a large part of the land system of Turkey. Finally there were the several religious courts of the various non-Moslem religious communities, such as the Greeks, the Armenians, the Jews and several others, functioning in entire independence and administering systems of law in relation to family matters containing the widest possible diversities.

The abolition of the capitulations necessarily ended three of these systems—that is, the Consular, the Commercial, and for the time being the non-Moslem Religious courts. A fundamental evil, however, was left untouched—namely, the independent jurisdiction of the Turkish religious courts. As a first step toward reform they had been attached to the Ministry of Justice in 1917, but their jurisdiction or identity as a separate system of jurisprudence had not been disturbed. In April, 1924, however, the Judiciary Reorganization act was passed, and with one courageous blow the religious courts were swept away and the complete unification of judicial power in Turkey was decreed.

Under this reform there exists in Turkey today one single closely organized system of courts, comprising (1) Magistrates' Courts, (2) Trial Courts for Civil Cases and for Misdemeanors, (3) Criminal Courts for the trial of the more serious crimes and (4) the Court of Cassation, or court of appeal on questions of law.

During my recent visits to Turkey I visited all these several categories of trial courts both in Constantinople and Angora, in every case being accompanied by a Turkish interpreter with whose aid it was possible to follow the proceedings closely. These visits were supplemented by interviews with the Minister of Justice and members of his staff at Angora, and with many Judges, lawyers and District Attor-

neys and others familiar with the workings of the courts. There was no doubt about the seriousness with which Judges, lawyers and officials alike were playing their parts. Self-respect, respect for the task in which they were employed, was stamped in a manner altogether unmistakable on the faces of the little army of judicial functionaries which thus passed in review. The difference in atmosphere, in feeling, in attitude, from what it had been in 1919 struck me at every turn. The profession was on its mettle and the characteristic energy which even Turkey's worst enemies do not deny to her had here been turned into a channel where it was wholly productive of good. The courts are evidently heavily worked. Several of them were in session well after the official closing hour of 4:30, and I was informed that they frequently sit far into the evening. The scene presented was essentially the same as one might expect to see in any European courtroom, and the atmosphere struck me as being always one of businesslike dispatch.

THE NEW CODES

Hand in hand with the reorganization of the judicial system, Turkey has undertaken a thoroughgoing reform of her existing codes. The principal one was the Civil Code of 1869, known as the *Medjelle*, which, in contrast to several of the other codes, was largely based on the principles of Mohammedan law as laid down in the Koran. This code was not in harmony with modern European judicial conceptions and its radical reform has been urged for many years. But no such reform could be carried through as long as the religious and political unity of the Turkish State was even technically maintained. It was the disappearance of the last vestige of religious control in the Turkish religious system, brought about by the abolition of the Caliphate and by the consolidation of the Turkish courts, that opened the door to this long delayed task. The work of revision was under way when I visited the courts in 1924. A year later, however, I found that the first plan had been abandoned in favor of a still more radical one. The old

code with its 1,851 articles did not easily yield itself to the modernizing process. The labor of elimination, selection and incorporation soon proved to be so formidable that it was decided to abandon the earlier project and adopt as far as possible in its entirety the most suitable European code. After study, the Swiss Civil Code was selected on these grounds: (1) its modernness (1907) as compared with the French and most other continental codes; (2) its democratic character and responding to the institutions of the purest democracy in Europe; and (3) the fact that it had been successfully applied to the three widely different racial groups which compose the population of Switzerland. The code was adopted on April 4, 1926, and took effect six months later, so that since Oct. 4 Turkey has possessed as the foundation of her legal system a civil code that can challenge comparison with the most modern European law systems. Active progress is also being made in the revision of the other organic codes, particularly the Commercial Code, which has been influenced largely by the excellent German Commercial Code, and the Penal Code, for the modification of which the Italian penal system, perhaps the most advanced and scientific in Europe, is being followed.

By the Allied Treaties of Lausanne, Turkey agreed to regulate by direct negotiations with the non-Moslem communities the question of their traditional jurisdiction in family matters. Acceptance of the Turkish law in these matters was thus not to be obligatory. A series of mixed commissions was accordingly established in the hope of working out some system of reconciling the several non-Moslem religious codes with the pending Turkish national law. But the task proved hopeless. The several systems of religious law were absolutely rigid, requiring for their alteration the convening of the highest governing body of the several churches—a cumbersome process promising little hope of final agreement. Moreover, these systems of religious law, when critically examined in the light of modern society, revealed many obsolete and indefensible provisions. The various formalities in regard to marriage as well as extraordinary and imprac-

ticable prohibitions in the matter of consanguinity, were cited as examples. There was, besides, widespread dissatisfaction among the various communities themselves with their laws. The result was, that faced by this confusion in their own laws and by the simplicity of a modern European code which should be applied to all, the various Christian communities found it to their interest to renounce their rights to use their ancient systems of marriage and divorce and to accept the principles of the new statute. All parties have thus made a concession, but the greater concession has been made by the Mohammedans in accepting a clean sweep of the Koranic law of marriage and the substitution of a law giving to the women of Turkey a legal status equal to that which women enjoy in the most advanced European countries.

AMERICA'S SPECIAL POSITION

Americans, however, have been favored in regard to family matters by an important exception embodied in the treaty now under consideration. All questions of family law, including those of marriage, divorce, separation, parent and child, guardian and trustee, and testamentary succession in matters of personal property, are reserved to the American courts outside Turkey, unless all the parties to the case prefer to submit themselves to the jurisdiction of the Turkish court. In such event the Turkish courts will apply the American law. This exception is a concession to the old system and covers perhaps the larger proportion of the cases likely to affect our citizens in Turkey. It is a measure of special guarantee which should relieve the minds of the most skeptical critics of Turkey's judicial reforms.

In the reorganization of the Turkish judicial system, attention has been given to the strengthening of the bar. The first step was an elaborate statute raising the requirements of admission and eliminating undesirable elements, with the result that the bar has been reduced to half its former number. Following the French tradition, strict provisions have been made forbidding lawyers to engage in any commercial undertaking. Contingent fees are strictly prohibited. Fees are taxed by the

court when final judgment is rendered and in civil cases may not exceed 10 per cent. of the amount of the judgment up to £1,000, or 5 per cent. of any amount in excess, the fee in other cases being fixed by the trial judge. The compulsory organization of the bar into associations is provided by statute, wherever ten or more lawyers are practicing in one locality. These associations possess considerable disciplinary powers over their members, subject to appeal to the courts.

One of the features upon which the new system lays the greatest stress is the reduction of the delays both in civil and criminal cases. With characteristic energy the Turkish reformer has aimed at practical results, and as far as I could judge has in this case achieved them with more notable success than in perhaps any other field of reform. In regard to criminal justice, the country has been divided into six judicial districts with five inspectors in each district, whose sole duty it is to see that all cases are promptly disposed of. The fixed rule is that, if an accused person under arrest is not tried within three months, the case must be laid before the Minister of Justice with an explanation of the reasons. A similar spirit prevails in civil cases where delay often amounted to practical denial. All ordinary litigation in Turkey, it is claimed, is finally terminated within a year, while the maximum time which a case on appeal may be expected to take before final judgment is rendered in the Court of Cassation is six months. One reason for this is that this court, following the French system, sits in chambers. It is composed of forty-one judges, and for the moment is established at the city of Eski-Shehir, about midway between Constantinople and Angora. The various chambers are generally composed of six members, and as the court does not ordinarily hear oral arguments or render decisions on the written record, it is possible, under the system of disciplined labor which now prevails in the Turkish judicial system, to accomplish very effective results.

The speeding up of justice has also been greatly advanced by the inauguration of new courts. "Under the Empire," the Minister of Justice informed me, "there were

about eighty ordinary trial courts for civil and criminal causes in Turkey with perhaps as many more assize courts for the trial of graver crimes. Today, in spite of Turkey's reduced territory this number has been increased to 580. Our magistracy alone numbers over 2,500 judges, with an administrative personnel of approximately 5,000." The problem of recruiting the judiciary, particularly in the lower ranks, has given the Government much concern. One result was the opening in 1925 of a new school of law at Angora in addition to the law school already existing at the University of Constantinople. The function of the Angora school is more particularly to train young men for the lower rungs of the judicial ladder, beginning as Justices of the Peace and as Assistant Prosecuting Officers. This is in accord with the tradition of the Latin system, which regards the magistracy essentially as a life career begun in a modest position and leading step by step to the top of the judicial hierarchy.

The protection of the people from false arrest is another feature of the new system. The duty of the prosecuting officers not merely to prosecute but to protect the accused is made much of. Every person arrested for a crime in Turkey enjoys a right, somewhat similar to that of habeas corpus, to appeal to the Prosecutor General of his district, and that officer is required to send immediately a representative to visit the accused and, in case his arrest proves to be unlawful, to take prompt measures not only to free the accused but to punish the guilty officials. It is in such procedure that the foreigner will find his surest guarantee.

I am satisfied from what I have seen that the Turkish bench and bar are fully alive to their responsibility and not only aware, but proud of the fact that the eyes of the world are following their experiment. They are proud of this fact because they believe in the new Turkey and believe in their profession. For these reasons I believe that the administration of justice, which formerly discriminated in favor of the foreigner, will not be used now to discriminate against him.

The Growing Burden of Government Costs in America

By H. E. MORGAN

United States Civil Service Commission

TWO hundred years ago, long before the great American Republic was dreamed of, Montesquieu, the French philosopher, made the observation that liberty increases taxes. He would find nothing in the financial history of our democratic country for the past decade to cause him to change that opinion. We recall with what feelings of uneasiness we regarded the "billion-dollar Congress" of pre-war days. Now we seem to have lost all idea of what a billion dollars means, if in fact we ever really knew.

The cost of all Government in the United States, Federal, State, and local, in 1925 was approximately \$11,125,000,000. In 1913 the total bill was \$2,919,000,000. This comparison gives a wrong impression unless we take into account the reduced value of the dollar in 1925. Expressed in "1913 dollars" the entire cost in 1925 was \$7,120,000,000, or about two and one-half times the cost in 1913. The Department of Labor reports that in December, 1925, the value of the dollar, as indicated by wholesale prices of 404 commodities, was 64 cents on the basis of 100 for 1913. The cost was \$96.42 per capita in 1925, as against \$30.24 in 1913; in 1925 it was, on the average, \$385.68 for each family of four, as against \$120.96 in 1913.

Federal expense has steadily decreased since the war, excepting an increase of 0.3 per cent. in 1925 over 1924; State and local Government expenses have steadily increased. In 1921 Federal expenditures constituted 60 per cent. of the cost of Government in this country, and 40 per cent. was properly chargeable to the lesser governing agencies; but today this position has been more than reversed and Federal expenditures are less than one-third of the cost. For the Governments of the forty-eight States the expenditures for operation, maintenance, interest and outlays for per-

manent improvements increased from \$1,310,333,000 in 1923 to \$1,513,628,000 in 1924 and \$1,614,562,000 in 1925, these being increases of 15.5 and 6.7 per cent., respectively.

The total expended and obligated by the Federal Government, exclusive of the payments on account of debt, investments, stores for resale, repayment of deposits and refunds (which items are not included in the totals for State Governments) was \$3,472,969,000 in 1923, \$3,315,237,000 in 1924 and \$3,326,033,000 in 1925—a decrease of 4.5 per cent. from 1923 to 1924 and an increase of 0.3 per cent. from 1924 to 1925.

The interest payments for State Governments were \$50,446,000 in 1923, \$55,848,000 in 1924 and \$67,662,000 in 1925, these being increases of 10.7 and 21.2 per cent., respectively. The interest payments of the Federal Government were \$1,056,169,000 in 1923, \$940,844,000 in 1924 and \$881,994,000 in 1925, these being decreases of 10.9 and 6.3 per cent., respectively. Local Government expenditures were \$5,136,000,000 in 1923, \$5,403,000,000 in 1924 and \$6,184,405,000 in 1925—increases of 5.2 and 14.4 per cent., respectively. A comparison of costs in a given year between different States or different cities, or of costs for a single State or city in different years, means little without a full consideration of the content of government in the States or cities discussed. For example, one State maintains a State police and another does not. One State may spend in the course of a year many times as much on roads or other permanent improvements as another State, or as the same State spent in a previous year. Public utilities are municipally owned in some instances and not in others. Some cities install high-pressure water systems for fire fighting and others do not. The costs of police departments in

two cities of the same size may differ because of local conditions. The frequency and thoroughness with which ashes and garbage are collected and many other services are to be considered. A just comparison of the relative costs of Government in two States or two cities, or between years in a single State or city, is not practicable in a brief article. Certain further facts and figures on the financial affairs of States and cities should, however, be of interest.

STATE COSTS TRIPLED IN TEN YEARS

The total cost of Government in 1925 of the forty-eight States has been given as \$1,614,562,000. The comparable cost in 1915 was \$494,907,000. An analysis of the 1925 payments shows that the costs for operation and maintenance were \$1,043,876,311. The costs of operation and maintenance in 1915 were \$381,168,000. The other 1925 payments were interest on debt, \$67,662,000 (1915—\$18,546,000); permanent improvements, \$503,023,971 (1915—\$95,193,000). Of the outlay for permanent improvements in 1925, \$418,760,223, or 83.2 per cent., was for highway and waterway construction. In only seventeen of the States was there sufficient revenue to meet all payments during the year 1925. The payments in excess of revenue receipts were met from the proceeds of debt obligations. The total indebtedness of the forty-eight States in 1925 was \$1,251,703,000, or \$11.12 per capita, as compared with \$424,155,000, or \$4.31 per capita, in 1915. Not as outstanding examples, but merely as illustrations, the following figures covering per capita costs for operations, maintenance and interest, excluding outlays for permanent improvements, in four individual States, are given:

New York: 1925, \$12.51; 1917, \$5.04; 1915, \$5.00. North Carolina: 1925, \$7.71; 1917, \$1.93; 1915, \$1.94. South Dakota: 1925, \$16.97; 1917, \$4.02; 1915, \$4.49. Oregon: 1925, \$15.01; 1917, \$4.29; 1915, \$4.58.

The total cost of local Governments has been given as \$6,184,405,000 for 1925. The comparable cost in 1913 was \$1,844,000,000. The total cost of Government in 1925 for 247 cities having a population over 30,000 was \$2,911,990,960; in 1924

the cost was \$2,641,797,778; in 1917 it was \$1,108,021,565.

The payments for maintenance and operation of the general departments of the governments of the 247 cities for 1925 amounted to \$1,525,556,704, or \$37.43 per capita. In 1924 the comparative per capita cost was \$35.76; in 1917 it was \$19.07; in 1915 it was \$18.55. The per capita costs for running expenses and interest for 146 of the cities were \$47.87 in 1925, \$45.62 in 1924, \$24.58 in 1917, and \$16.41 in 1903. Only forty-four of the 247 cities realized enough revenue in 1925 to meet all expenses and to have a balance available for paying debt. The net indebtedness of the 247 cities amounted to \$4,659,629,234, or \$114.33 per capita, in 1925, this being an increase of 10.2 per cent. over that for 1924. The per capita net debt of 146 of the cities was \$119.45 in 1925, \$80.75 in 1917 and \$44.71 in 1903. Almost 44 per cent. of the permanent improvements in cities for 1925 was financed from proceeds of bond issues.

Again, simply for illustration, figures are given for individual cities covering per capita costs for operation, maintenance and interest, excluding outlays for permanent improvements:

New York City: 1925, \$65.75; 1924, \$62.39; 1917, \$35.11. Detroit, Mich.: 1925, \$64.04; 1924, \$59.64; 1917, \$23.00. Kansas City, Kan.: 1925, \$43.48; 1924, \$43.65; 1917, \$19.60. Charleston, S. C.: 1925, \$40.54; 1924, \$37.70; 1917, \$15.58. Colorado Springs, Col.: 1925, \$54.77; 1924, \$44.81; 1917, \$18.52.

Complete figures are not available for cities having a population of 30,000 or under or for counties, but all available data indicates that heavy increases in expenditures are general.

The enormous and increasing debts of State and local Governments should cause the deepest concern. Our State and local Governments are more than \$11,000,000,000 in debt today. In 1912, the total indebtedness of State and local Governments was \$3,821,896,658. We may well ask ourselves how long we can continue to mortgage the futures of ourselves and our children and when the day of reckoning is to

be. There is always the possibility that our present carefree prosperity may be interrupted.

The taxpayer should be interested in the broad reasons why his tax bills are steadily mounting. The first and most obvious reason for the increase in the cost of Government is the reduced value of the dollar. The high cost of living touches the public as well as the family purse. Government salaries have increased, as have all salaries; and all commodities and services are higher in price. A second reason is that the American people have formed the money-spending habit. The influence of war extravagance and the orgy of spending in peace prosperity are causing us to demand more services of Government, or to accept them, which amounts to the same thing, and we are buying more government along with more automobiles because we have more money with which to pay for it. A third very important reason is named by a business man of national reputation, and that is the existence of a vast number of independent taxing units in State, municipal, county and other local Governments, each growing constantly from its feeling of self-importance. He recommends a thorough reorganization of the financial affairs of State and city Governments, and says that "in many cases the executive branches of our States and cities are completely disorganized. The Governor has no control over administrative departments, and the Mayor no control over city administrative departments. This means that each administrative department of a State or city asks independently for its annual appropriation. A budget system is impossible. Each department lobbies on its own behalf, and there is no way to compel all the departments of the State or city to draw up a common budget, which would save enormously."

The Federal Government has adopted a budget system and a uniform system of taxation with excellent results. There is evidence that some of the States, at least, are considering the advisability of following the example set in national financial affairs.

A fourth reason for increasing costs is the fact that, while the Federal Govern-

ment still carries a heavy burden of war expenditures, the States, cities and counties have been facing a heavy deficiency in building construction, repair and highway improvement and maintenance resulting from the interruption of such operations by the World War. They are making an effort to catch up with the demand for such facilities. In 1914, the United States had 257,000 miles of surfaced highways; in 1925 it had 495,000 miles, according to the estimate of the National Automobile Chamber of Commerce. Furthermore, in the decade 1913-1923 the cost of public education rose from \$521,000,000 to \$1,580,000,000.

3,500,000 EMPLOYEES IN 1925

An outstanding item in the cost of Government is the expenditure for personal services. The number of persons directly on the payrolls of Federal, State and local Governments, exclusive of those employed on contract work, is estimated at 3,500,000 in 1925, as compared with half that number in 1913. In 1925 the number of persons in the United States, 10 years of age or over, gainfully employed, was about 45,000,000. According to the best available data, one in thirteen of all persons gainfully employed in the United States is employed by some branch of government, Federal, State, or local.

The number of employees in the Federal service, classified under the Civil Service law and not so classified, exclusive of the legislative and judicial branches and the commissioned, warranted and enlisted personnel of the army, navy, Marine Corps and other military branches, on June 30, 1926, was 560,705. The following table shows the war expansion in the Federal Civil Service and the reduction since the war:

	In Dis- trict of Columbia.	Outside Dis- trict of Columbia.	Total.
1916	39,442	398,615	438,057
1918	117,760	800,000	917,760
1920	90,559	600,557	691,116
1921	78,865	518,617	597,482
1922	69,980	490,883	560,863
1923	66,290	482,241	548,531
1924	64,120	490,866	554,986
1925	63,756	500,962	564,718
1926	60,811	499,894	560,705

The Federal executive Civil Service is now larger by approximately 123,000 employees than it was before the war. The Postal Service, which is practically self-sustaining, has in round numbers, 306,000 employees at this time, leaving 254,000 as the number in all other branches. The Post Office Department now has 55,000 more employees than it had before the war. The postal business grows by leaps and bounds, and the number of employees must grow also. The records show that the percentage of increase in the number of employees is less than the percentage of increase in postal business. Aside from the increase in postal employees, by far the greater part of the increase in the Federal Civil Service over the pre-war figure is accounted for by additional burdens placed upon the Federal Government by the war. The Veterans' Bureau alone has more than 24,000 employees.

While there has been a net increase of approximately 12,000 employees in the Federal executive Civil Service since 1923, there has been a considerable decrease in that period if the Postal Service is excluded. As an effort toward further reduction of force, the Director of the Bureau of the Budget, by direction of the President, issued on June 29, 1926, the following order to the heads of all departments and establishments of the Federal Government:

A sum not less than 2 per cent. of the total amount expended for the salaries of the entire executive Civil Service of the Government, except temporary employees of the field service, from appropriations available for salaries during the fiscal year 1927, will be reserved to be covered into the surplus fund of the Treasury. The necessary reduction in personnel to accomplish this saving will be made by omitting such new appointments to fill current vacancies as will result in an actual saving equal to 2 per cent. of the amount expended for salaries in each department and establishment from appropriations available for such expenditure during the fiscal year 1927 (began July 1, 1926).

There can be no doubt that the number of Federal civil employees would be much larger than it is without the competitive examination system, commonly called the Civil Service system; for without the competitive examination system, and with positions distributed as reward for political

service rendered, the logical tendency always has been and always will be to create as many jobs as possible to hand out as rewards. Furthermore, the files of the United States Civil Service Commission contain abundant evidence that a given amount of Government work can be performed with fewer employees, and therefore more economically, under the competitive examination system than under the spoils system.

NATIONAL PROSPERITY A FACTOR

Increased wealth and income has been given as one reason for the increase in cost of government. The argument is not advanced that the fact that we have more money justifies increases in taxation; the intention is to point out the indisputable fact that we do have more money and to suggest that thus fortified, and with the application of the anesthetic of promised benefits, sometimes realized and sometimes not, the extraction of money in taxes becomes less painful.

While the cost of Government in the past few years has increased to a greater extent than national wealth and income, there is no evidence that the people have been impoverished by taxes. In 1925 more than 17,000,000 passenger motor cars were registered in the United States, as compared with 1,200,000 in 1913. The operating cost of motor vehicles of all kinds in 1925 is estimated at approximately \$10,000,000,000. In 1924 nearly \$21,000,000,000 was on deposit in savings accounts, as compared with less than \$9,000,000,000 in 1914. In 1922 there were 14,400,000 shareholders in stock corporations, as compared with 4,400,000 in 1900. In 1925 citizens of the United States spent \$630,000,000 in traveling in foreign lands, as compared with \$175,000,000 in 1913. The figures covering investments in life insurance and in shares in building and loan associations, and the purchase of luxuries of all kinds, show as great increases, and, furthermore, there is evidence in the reports to indicate that the greatest increases in every line came from the expenditures of the masses rather than of the rich. Again the reader is reminded to consider the present purchasing power

of the dollar as affecting the foregoing figures.

Encouragement is found in the comparative death rates. In 1900, in those areas where records were kept, the death rate was 17.6 per thousand inhabitants; in 1924 it was 11.9 per thousand. We all know that the mortality among infants has been greatly reduced in the past twenty years, largely the result of better supervision of milk supplies and better sanitary conditions generally.

In all considerations of the cost of government and the amount of taxes, the purposes and benefits must be given their proper place. Health organizations, maintained at public expense, have contributed considerably to the reduction of the death rate. Such benefits cannot be estimated on a money basis, nor can the ablest statistician compute the effect on productivity and national wealth and income of all the services that Governments, Federal, State and local, perform for the people.

GOVERNMENT EFFICIENCY

We are asking Government to perform more and more services for us. It may be highly important that Government should do for the people all the thousands of things that the people demand of or accept from it; but when we complain of our tax rates, it behooves us to give thought to the questions whether the Federal Government can perform certain services more economically than can a State or local governing agency, or whether any of these can do the work more advantageously than an educational institution or private business; and, further, whether some of the things we ask government to do might not better be left undone.

Generally, work performed by Government could be accomplished with fewer employees, and therefore with less expense, than if the work were private work conducted for profit. It is a mistake to suppose that all Government business is less efficient than all private business. It is also a mistake to expect all Government business to be transacted as effectively and as expeditiously as the best-managed private business. There must be a certain

amount of so-called red tape in the transaction of public business because it is public business. There is not the definite measure of the value of individuals in the organization that competition and money profit provide in private business. Private business offers as good an opportunity to work for work's sake as does public business, and private business has the spur of money profit in addition. In a small private business the owner or manager can make short cuts practically at will. The owner is responsible to no one else. In the case of a manager, the owner is more interested in results than in methods. The degree of formality in the transaction of business grows in direct proportion to the extent of the business. In the business of a large corporation there is found a multiplicity of records, partly because the operations must be open to scrutiny and check at any time and the managers must protect themselves. This is true in public business to an even greater extent. It is the people's business and the administrative officers must always be ready for inquiry by the people's representatives.

Public business generally is hedged about by many laws, some necessary, some probably not necessary. Whether they are necessary or not, they tend to slow up the transaction of public business and to add to its cost in personnel and otherwise. The administrative officers are not responsible for this situation. The demand for or acceptance of services by Government should, therefore, be given the most careful consideration. It is upon the basis of constantly increasing and ever ramifying services that the mounting volume of taxation and public expenditures finally rests, even in the process of collection and distribution, and in the gap between payment and service rendered, there may be leakage and waste.

Finally, our Government—national, State and local—is just as good as we deserve. The man who is doing nothing to make his Government better is doing a great deal to make it worse. If we are too busy to vote or too nice to soil our hands with politics, machine politics will give us the kind of government we allow it to give us, whether we like it or not.

The Destiny of Protestantism in the Balance

By THOMAS TRACY WALSH

Rector of the Church of the Good Shepherd, York, S. C.; author of *The Word Abideth*

ANGLICANS, Baptists, Roman Catholics and others have written concerning the failures of Protestantism. Several years ago a Congregational minister, the Rev. Dr. Newman Smythe, published a volume to show that Protestantism was passing away to make room for something bigger and better. This author said: "It were an easy and grateful task to depict the splendid successes of Protestantism. Our free churches have their glory in them. They are the pride of our New England heritage. They are the ancestral virtues on which our homes are built. They are the constitutional foundations of our American citizenship. They constitute the historical security of democracy throughout the world. They have opened the door wide for all of the sciences to come into our modern civilization. * * * Protestantism has its triumphal arch and upon it are depicted the victories of hard-fought fields, and the procession of the mighty oppressors of the nation, led captive by it; and the names of the heroes of its faith inscribed in perpetual honor upon it. But it is a completed arch. Its crowning achievement is the victory which it has won forever for the spiritual liberty of the individual man." After this striking eulogy the author proceeds to show that the distinctive work of Protestantism as such has been done and that this great religious system might eventually cease to exist.

Whatever may have been the attitude of a former generation toward such opinions, present conditions in the Protestant world, and especially the American section, call for serious thought and discussion concerning its future. It has been said that when Protestantism was born four hundred years ago, it carried within its infant body the germ of its own disintegration. As un-

restricted church authority leads to oppression and revolt, so does unbridled religious freedom carry the potentialities of schism and agnosticism. It was during the Reformation period in the sixteenth century that the issue between church authority and private judgment reached its climax. At that time these two principles were considered to be mutually antagonistic, and on the Continent at least there was little conception of a possible reconciliation. This right of private judgment is still cherished as a precious heritage of Protestantism to be kept inviolate regardless of cost or consequences, and just now it seems that Protestantism is paying the cost and reaping the consequences. It is a tragic fact of history and experience that the great evils of disunion, certain forms of heresy and many absurd teachings and customs among Protestants have resulted from an undue exercise of this privilege.

The original Protestant basis of authority was not an infallible Church, but faith and religious experience founded upon the authority of an infallible Bible. It was during the early years of the Reformation period that Protestants began to disagree concerning the interpretation of the Bible and under their leaders divide into organized sects. Today their descendants are found in the more than one hundred religious bodies that claim a place in the world as Christian Churches. The large, outstanding Protestant denominations, including their numerous subdivisions, justify their positions in Christianity to a great extent by the Holy Scriptures. Not only in former ages but in these times many sects have had their birth from the peculiar views of individuals or groups concerning the teachings of the Bible. Mr. Blank or Mrs. Blank, after diligent reading of the Bible, says: "At last I have found the true

doctrine and the right church! Let every one accept my exposition of the Bible and all the problems of religion and life will be solved." The Christian Scientists, the Mormons, the various types of Millenarians, the followers of Voliva—all sorts of Christian sects prove their doctrines and justify their practices by the Bible. Some interpretations are so literal as to be grotesque, and others have pressed the figurative or rationalistic methods to the extent of explaining away the reality of any revelation from God in either the Old or New Testaments. It is therefore quite obvious that the Bible so far, instead of being the basis of organic unity among Protestants, has been a point of divergence. It is an admitted fact that the present opposition to the theory of man's creation through evolution from lower forms is largely based upon a special view of the inspiration and contents of the Bible.

NEW SECTS UNPOPULAR

In this twentieth century it seems that the Protestant career of divisions has nearly reached its end, and while further ruptures may come the formation of new Churches is no longer popular. Still the Protestant world is confronted by problems of a very serious nature; they involve not only the present status but the future possibilities of this type of Christianity. Doctrines and customs once regarded as fundamental are now being questioned and discarded. Several years ago a well-known denominational paper said editorially: "Perhaps the time has come to abolish the ordinances altogether. If their meaning has become so grafted into the Christian consciousness as not to need the form, certainly all will admit that the purpose of the form has been fulfilled and the need for it is no longer. All denominations have dissented from this and have accepted and asserted a certain amount of ecclesiasticism as taught by Jesus to be observed. * * * If we admit others than baptized believers into our membership we surrender what we always stood for. When the things for which we have always stood have been accepted by the Christian world, then there may be no need for our existence. We do not believe that day has come."

The time certainly has arrived when unbaptized believers are admitted into full fellowship with the baptized members. A prominent minister in New York City a year or two ago published an article entitled "Protestantism at the Cross Roads," in which he plainly intimated that there is no alternative between Modernism and Roman Catholicism, and that his own denomination would soon have to face the issue. A considerable number of Protestant ministers and laity are rebelling against a literal interpretation of the Apostles' Creed and other formularies of their denominations. This attitude is not only toward the doctrines of the Virgin Birth and bodily Resurrection of Christ, but other teachings which are repudiated as relics of Protestant scholasticism. The Fundamentalists will not consider any compromise on the fact of the Virgin Birth or of miracles in general and are determined to maintain their statements of belief intact. Meanwhile those demanding liberty of interpretation or complete revision are strongly entrenched in their positions. Whether or not there will be divisions and realignments or other disasters, it appears that some of the great Protestant denominations of America are now facing problems that will test their cohesive capacity to the utmost. It is the opinion of prominent men in various churches that many of the "isms" and "ists" now extant as Protestant denominations have reached the parting of the ways. The distinctive tenets upon which certain churches were founded have been practically abandoned, and principles to which others have borne witness are no longer peculiar to themselves. In such cases it would seem both logical and righteous to consider plans for dissolution or merger.

To the great mass of members in the one hundred Protestant denominations it is unthinkable that their churches will ever cease to exist. Many of the smaller sects are kept in existence by sentiment or pride and prejudice, and the larger ones believe that they are bearing witness to distinctive principles in the Christian world. Although organic unity is opposed by some Churches on principle, there is a general feeling that it is desirable, and movements in that di-

rection have been in progress for a number of years. Standing in the way are the usual obstacles to progress such as ultra-conservatism, pride, sentiment, jealousy and ignorance. Some one has written that modern education, scientific research and Biblical criticism are undermining the foundations of Protestantism. Many of the causes of sectarian quarrels have ceased to exist. We seldom hear of debates among members of rival churches; controversial literature upon such subjects as Baptism, Predestination, the nature of the sacraments and ministry has but few readers today. Prejudices against customs once considered "Romish" are passing away. In non-liturgical Churches Lenten services are held, Good Friday and Easter especially observed, and Sunday School children at least allowed to have a religious celebration of the Lord's Birthday. Gothic architecture, stained glass windows, musical instruments, flowers and candles in churches have become the usual things. The term "meeting house," which was used in New England and elsewhere for many years, has been abandoned, and people now speak of going to church or service instead of to meeting or preaching. In the naming of new local churches the usual Old Testament titles are discarded and Christian names adopted. The Apostles' Creed is recited, the Ten Commandments read and the Lord's Prayer said or chanted. Set forms for marriages and burials are used and hundreds of congregations have printed forms of responsive worship. It is a striking fact that thousands of Protestants are now using the identical things upon which their forefathers divided and against which they fought with word and sword. Cooperation among denominations is now made practical and systematic through the Federal Council of Churches.

CHURCH UNITY MOVEMENT

But there is another movement which needs especial observation and guidance. It is not toward organic Church unity, but rather in the direction of undenominationalism; and in this the laity may figure largely. Many laymen are indifferent toward things distinctively ecclesiastical or doctrinal. They are showing a marked

impatience toward divisions upon matters of dogma and church government. It is a source of anxiety to pastors that so many laymen are looking for their religious stimulus to an irresponsible evangelism rather than to their own churches. With some there is a tendency to minimize the importance of church organization and authority and to exalt the undenominational community church as an ideal solution or dissolution of the problem of sectarianism. Laymen have said that eventually there will be nothing left of Protestantism except community churches, having no creed, no sacraments and no ordained ministry, for "all the church work will be done by lay men and women." At this time there are projects for congregations composed of baptized and unbaptized members in equal fellowship, having no credal tests and providing for "the competency and freedom of the individual to choose for himself in matters of religion." The fact that such congregations exist may portend the increase of ethical culture societies having Reformed Jews, Buddhists and agnostics as members in full fellowship with Christians. Under such conditions, the continuance of foreign missions and some other important church activities would be precarious. Whatever may be in store for Protestantism, the great mass of its level-headed membership will not allow it to commit suicide in a manner that is preposterous.

There are men with the hearts of saints and the vision of seers who have in mind a form of Christianity which embraces all that is best in Catholic order and Protestant liberty and may provide a solution for the many problems and controversies that are now agitating the Christian world and threatening further disruption in the Church of Christ.

The antipathy to the idea of Catholicism is largely due to its association with exaggeration of it by one branch of the Catholic Church. A vast number of Protestants concede the claim of the Church of Rome to be the Catholic Church, thereby excluding the older Greek Church and other branches claiming to be Catholic. This term is almost as ancient as the word Christian. About the year 110, shortly after the

death of St. John, and many centuries before the prefix Roman was adopted by one branch of the Church, Ignatius, the Bishop of Antioch, described the Christian Church as Catholic. To declare that there is no alternative between Roman Catholicism and a rationalized Modernism is to utter the cry of despair. It is not correct to say that "if men are to have a religion of authority, they prefer it in full strength." It is both possible and desirable "to hold to the Catholic basis and yet stand for free and spiritual religion," and there is a Catholic conception of the Church which welcomes Modernism of the right sort.

Church authority and religious freedom are not essentially antagonistic. There are Protestant denominations with forms of government that are considered autocratic, and others that have been described as "democracy gone mad." Both authority and liberty should be kept within the bounds of reason. Not rationalism but reason will have a large share in the solution of the religious problems of the present generation. When people are seeking for a reasonable basis of agreement in religion, they will not be swayed by prejudice, sectarian pride or tradition. Much is to be said in favor of the maxim that truth is generally found in a safe position between extremes, and somewhere there must be a real middle way leading to a common meeting point for divided Christianity. The idea of the middle position is not attractive to extremists; it is treated with scorn and contempt because it is supposed to represent no definite convictions or settled principles, but rather is a flabby thing without a backbone. Genuine Catholicism disproves such conceptions of the middle ground, for while Protestantism represents diversity without organic unity and Romanism has organic unity at the expense of diversity, Catholicism stands for the organic unity of the Church with provision for such diversity. It is a unity which does not require uniformity except in the very essentials. It may be that Protestantism, having done its great work and left an indelible impression upon religion and civilization, will eventually pass, not into rationalistic Modernism or Romanism, but into Catholicism.

That Catholic Church into which Protestantism is transformed will certainly look to the Holy Scriptures for its standard of faith and morals; it will have a Creed that is Apostolic and Catholic, the Sacraments of Baptism and Holy Communion and a Ministry that has been universally recognized as valid. It will be sufficiently comprehensive to tolerate beliefs and customs that many considered Romish but were only Catholic, also retaining elements dear to the hearts of Protestants which were not Protestant but merely evangelical. This will be a progressive Church, hospitable to truths revealed by science and general scholarship. There will be consideration for the changes in men's modes of reasoning and the difficulty of people in the twentieth century thinking in terms of the fourth. Without any denial of the inherent facts, there will be interpretation of the ancient faith with meanings and applications adapted to modern thought and life. Having diversity in unity, there will always be differences and debates, but disruption upon such subjects as Fundamentalism and Modernism would hardly be possible. Under one form of government there will be abundant freedom in local regulations and in minor points of dogma and ritual within the limits of loyalty to the common bond.

This organization, possessing all of the essentials of a Catholic Church, would probably be on terms of intercommunion with the Anglican and Greek Churches. It should include the Protestant Episcopal Church with its combined Catholic and Protestant elements. But with its present organization and policy it would be futile to expect any change in the attitude of the Roman Catholic Church toward other churches.

Whatever may be the future of Protestantism the present situation portends radical changes and readjustments. There may be an attempt at amalgamation into one large Protestant body, but many would regard this as a makeshift, contrary to the genius of Protestantism and subject to the same forces of disintegration. Whether Protestantism will save its life by losing it, being reborn into Catholicism, is a question for speculation rather than a theme of prophecy.

The Union of Protestant Churches in Canada

By JAMES MARTIN MILLER

Formerly United States Consul at Aix-la-Chapelle and Rheims and Consul General to New Zealand; Author of *Fundamentalism and Modernism*

ACHERISHED ideal of many progressive religious thinkers, the merging of the various Protestant religious denominations into one united church, was realized on June 10, 1925, when the United Church legally began its existence.

There have been many more or less unsuccessful attempts in other countries to consummate such a union. The World Interchurch effort resulted in creating national and world-wide interest in church unity in principle, but had no tangible results. Other movements, such as the Lambeth appeal in Great Britain, and Conferences on Faith and Order*, indicated how near the different denominations really are to each other in the fundamentals of the faith, and tried, without conspicuous success, to find means of reconciling their differences in outward things. In Australia, India, China, Czechoslovakia and Russia attempts have been made to start a union movement.

It has remained for Canada, however, to take the great forward step of actually consummating the union of three Protestant denominations, producing the largest ecclesiastical merger the world has ever witnessed. While churches in other countries have been content to frame statements of doctrine for the consideration or acceptance of other bodies, and to pass resolutions of fraternal greetings, the churches of Canada have practically demonstrated the sincerity of their convictions and have proved the reality of what many Chris-

tians hold in theory. The Canadian churches have demonstrated before all the world their unity of faith.

In Canada, with a few exceptions, there are no longer any Methodists, Congregationalists or Presbyterians. The exceptions are a Presbyterian minority who refuse to be merged, and a very few small Congregational churches that remain independent, without organization or head except their local pastors. Over two and one-half million of the three denominations (this number including all members of the families of the actual members in each church) have consolidated into one large organization known as the United Church of Canada. This great consolidation involves 9,483 congregations of the three churches—4,797 Methodist, 4,512 Presbyterian and 174 Congregational. Nine small Congregational churches and 784 Presbyterian churches refused to become a part of the union. The amount of church property involved is over \$100,000,000 in value.†

†It is claimed that British Columbia is the only political subdivision of the British Empire, as well as the only country in the world among Christian nations, where church property is taxed. St. Andrew's Presbyterian Church of Vancouver (now a United church) pays taxes of about \$3,000 a year. The Roman Catholic Cathedral in Vancouver pays taxes of over \$4,000 a year. The British Columbia statute on the taxation of church property empowers the municipalities to make tax levies on the land holdings of all religious bodies. The law is an adaptation of the single tax principle of Henry George. While practically all the churches pay the taxes without protest, a few of them have sought court action in enjoining the authorities from forcing payment of such taxes from religious organizations. One or two church schools, notably a convent at Victoria, B. C., carried their case to the Provincial court, where they lost, to the Supreme Court of the Dominion of Canada at Ottawa.

*A conference of church leaders, headed by Bishop Brent, met in New York City on Oct. 12 to discuss plans for a "World Conference on Faith and Order" to be held in Switzerland next Summer, at which almost all Christian churches, with the exception of the Roman Catholics and Unitarians, will be represented and at which the possibility of world church unity will be discussed.

HOW UNION WAS EFFECTED

This great union represents the work of the leaders of the three denominations for fully half a century. In 1875 all the nine branches of the Presbyterian Church in Canada became one organization. The English Congregational Church, which occupied the field from Quebec westward, and the New England Congregational Church, which was established in the Provinces of New Brunswick, Nova Scotia and Prince Edward Island in 1770, became united in 1905 into one Congregational Church. The Methodist Church gathered its sixteen separate branches into one final Methodist union in 1885. Canada was the first country in the world to bring about these unions within each separate communion, and it is more than probable that each of the denominations thus became accustomed to the idea of consolidation and was thus gradually prepared for the idea of this still greater union which has now fused their identities into one.

The Anglican Church (Church of England) and the Baptist Church were cordially invited to participate in the conferences leading to the organization of the United Church of Canada. The Anglican Church took the matter under advisement, but decided not to join. The Baptists, in refusing the invitation, stated that because of the distinctive principles of their Church they considered it "necessary to maintain a separate organized existence and to propagate their views throughout the world." Some of the more extreme Fundamentalist ministers branded the movement as "part of the general apostasy" and violently attacked its principles from their pulpits. While there are no figures available, certain church officials on both sides admit that an undetermined number of the members of the three uniting denominations transferred their memberships to either the Anglican or the Baptist Church after the union went into effect.

The majority of the dissenters among the uniting denominations are Presbyterians, and the name given to the 784 congregations that refused to join the union is "continuing" Presbyterians. It is estimated that there are now about 500,000

"continuing" Presbyterians, counting the families of each actual member. As for the Congregationalists, with the exception of Olivet Church in Toronto and eight small rural churches, the Congregational Church as such is non-existent. Each of these small churches exists as an independent institution. I asked an old lady at the Olivet Church, "Is there a Moderator in the Congregational Church of Canada now?" "Oh, yes," said she, "the Holy Spirit is our Moderator, and that is sufficient."

One of the chief reasons for opposition to union, on the part of many Presbyterians and a few Congregationalists, is its denial of control by the church membership, the church government, as in the case of the former Methodist Church, being entirely in the hands of the church officials. Another cause of objection is the United Church's composite confession of faith, "which can be changed by the church officials at any time," many Presbyterians say. The feeling on the question of union has run so high that in some cases it has divided families and estranged lifelong friends and neighbors.

FUNDAMENTAL PRINCIPLES

The fundamental principles of the union are expressed in a composite creed, made up of the essential elements of the creeds of the three old churches. In brief outline it is as follows:

THE BASIS OF UNION

As Prepared By the Joint Committee of the Presbyterian, Methodist and Congregational Churches, and Approved By the Supreme Courts of These Churches.

GENERAL

1. The name of the Church formed by the Union of the Presbyterian, Methodist and Congregational Churches in Canada shall be "The United Church of Canada."
2. It shall be the policy of The United Church to foster the spirit of unity in the hope that this sentiment of unity may in due time, so far as Canada is concerned, take shape in a Church which may fittingly be described as national.

DOCTRINE

We, the representatives of the Presbyterian, the Methodist, and the Congregational branches of

the Church of Christ in Canada, do hereby set forth the substance of the Christian faith, as commonly held among us. In doing so we build upon the foundation laid by the apostles and prophets, Jesus Christ himself being the chief cornerstone. We affirm our belief in the Scriptures of the Old and New Testaments as the primary source and ultimate standard of Christian faith and life. We acknowledge the teaching of the great creeds of the ancient Church. We further maintain our allegiance to the evangelical doctrines of the Reformation, as set forth in common in the doctrinal standards adopted by the Presbyterian Church in Canada, by the Congregational Union of Ontario and Quebec, and by the Methodist Church.

POLITY

The Joint Committee, after an examination of the forms of church government of the negotiating Churches and the practical working thereof, is greatly gratified to find:

1. That while the officers and courts of the negotiating Churches may bear different names, there is a substantial degree of similarity in the duties and functions of these officers and courts.

2. That, engaged in the same work, with the same object in view, and earnestly endeavoring to meet the conditions confronting the Churches in Canada, the negotiating Churches have been steadily approximating more nearly to each other, both in forms of church government and methods of administration.

3. That there are distinctive elements in each which would add to the efficiency of a united Church, and which can be preserved with great advantage in the form of polity to be adopted for The United Church.

4. That in this view it is possible to provide for substantial local freedom, and at the same time secure the benefits of a strong connexional tie and cooperative efficiency.

The following are submitted as setting forth the polity proposed for The Church of Canada:

THE CHURCH

1. The members of The United Church shall be the members of the negotiating Churches, and such others as may hereafter become members.

2. The unit of organization for The United Church shall be the pastoral charge. A pastoral charge may consist of more than one local church; a local church is a body of persons meeting for public worship in one place.

3. The governing bodies or courts of the Church, higher than those of the pastoral charge, shall be: (a) The Presbytery; (b) The Conference; (c) The General Council.

While the Union went into effect on

June 10, 1925, the actual work of smoothing out all the legal complications involved is by no means fully completed; in fact, it is just beginning. In the first place, all three of the communions were, of course, property-holding bodies, depending on Parliament for certain legal sanctions. The Union, therefore, could not become a fact until its terms were ratified, not only by the Senate and House of Commons of the Dominion of Canada, but also by all the Parliaments of the Provinces in which church property was held.

The situation is further complicated by the fact that though all the Methodist churches went into the Union, some of the Presbyterian and Congregationalist churches did not, thus necessitating special legal provisions to insure their rights. Moreover, the old Methodist Church was legalized by an incorporation act, whereas in the case of both the Presbyterian and Congregational churches, only the local trustees in control of church property, such as lands, buildings and funds, were legalized under deeds of trust or as joint stock associations. Since this was the case, the acts enabling the incorporation of the United Church of Canada, passed by the Dominion and Provincial Parliaments, automatically repealed only the incorporation act legalizing the former Methodist Church. The United Church takes the position that inasmuch as a considerable majority of the Congregational and Presbyterian congregations voted in favor of going into the Union, the property, goodwill and names of the Presbyterian and Congregational churches legally belong to the corporation, the United Church of Canada, successor of the three denominations, and that no individual or association of individuals or corporation has any right to use any one of the names of the three denominations so merged. This matter is still awaiting decision. In the meantime, the "continuing" Presbyterians and the dissenting Congregationalists will not be incorporated either by the Dominion or Provincial Parliaments.

Other vexed problems that demand settlement are the division of the educational institutions, such as church schools and

colleges, and the settlement of the ownership of the various Home and Foreign Mission organizations.

Under an act of the Dominion Parliament a commission of nine has been created to make a final settlement of all disputes precluding any disagreeable court action; it is now meeting for deliberations and to hear testimony. The act states "that the non-concurring congregations * * * shall be entitled to whatever the commission shall determine to be a fair and equitable share of the property, real and personal, rights, powers, authorities and privileges of or in connection with the respective parent church or churches." Three members of the commission were chosen by the non-concurring congregations and three by the United Church, and these six together chose the remaining three, all appointments being subject to the approval of the Chief Justice of Canada. There can be no appeal from the decisions of this commission to any court.

The natural question at this point is: "How is the Union working?" This I will answer with some personal observations which I have recently made. I attended two large churches in Toronto which before the Union had boasted large congregations. In one the congregation numbered eighty and in the other ninety-five, with a very noticeable absence of young people, the attendance being about one-sixth of the capacity of each edifice. In many cases throughout Canada I am reliably informed that midweek prayer meetings have been entirely abandoned in non-union churches, and in most of these churches it is impossible to get more than a dozen or twenty out to attend the devotional services. On the other hand, I attended two United Churches and found large congregations and well-attended Sunday Schools. Friends had already told me about the packed houses of these two churches, the popular and eloquent pastors and the splendid choirs.

Churchmen who are familiar with the situation have told me that it is true both that the formation of the Union has caused the congregations in some churches to dwindle and that it has greatly augmented

those in others. The answer one gets as to the success of the Union depends largely on whether the preacher or leading church member who gives his opinion is opposed to or in favor of it. There is an abundance of testimony in both directions.

Conservative people on both sides, however, have expressed the opinion that it will require fully five years to prove just what the Union means for the future of religion in Canada. Some of the leaders in the "continuing" Presbyterian Church seem strong in their belief that after they have perfected the work of reorganizing their shattered church, it is certain to have an unprecedented growth. They have already raised \$250,000 of a \$750,000 drive to finance this undertaking. A prominent Baptist clergyman expressed a widespread point of view in these words: "Can the church members, whose parents and grandparents held the same faith, and the bodies of whose departed dear ones rest in the church graveyard, see with complacency their old denomination with all its traditions and its creed cast aside in a day, so to speak, and merged into a new denomination with new articles of faith and a new system of church government? While I can only wish the new United Church of Canada well, I, with many of my fellow-ministers, am anxious about the final result, which will require a number of years to determine." There are, however, many enthusiastic unionists among the 700,000 membership claimed by the United Church, who believe that these more or less sentimental objections are offset by the increased efficiency gained by consolidation, particularly in the merging of churches in villages and small towns which can support one strong church adequately, but not two or three. At any rate, the experience gained so far in the great church consolidation in Canada seems to demonstrate that religious and denominational tradition imbedded deeply in the human heart cannot be entirely eradicated in a day, a year or even a lifetime.

While the United Church of Canada represents an undoubted success in the actual achievement of a Union, however imperfect, it has, with its heritage a tremendous task and responsibility before it.

How the New Immigration Law Is Succeeding

By ALCOTT W. STOCKWELL

United States Immigration Service, Boston

AMONG the annual reports submitted by the various bureau chiefs of the Federal Government for the past year perhaps none was more optimistic in tone than that of the Commissioner General of Immigration. His quite adequate excuse for a cheerful frame of mind is found in the gratifying results of the first year's operation of the new quota law. "For the first time in the history of the United States," comments the Commissioner General, "we have a well-grounded and well-considered set of laws relating to immigration which, while not shutting us off from a reasonable contribution of Old World peoples, are at the same time responsive to the demands of the American people for an effective immigration control." Doubtless there are those who would raise their eyebrows at this reference to "an effective immigration control." The tales of bootlegging aliens across the Canadian and Mexican borders are calculated, certainly, to raise doubts as to the validity of such control. Nevertheless, it is quite true that the quota law, so-called, is much more responsive to the demands of the American people in reference to the immigration problem than any previous legislation.

From the beginning of the Republic until 1882 we had virtually free immigration. In that year the labor unions of the Pacific Coast successfully protested against the competition of Oriental workers and secured the enactment by Congress of the Chinese Exclusion law, which has remained in effect to this day. Under this law, reinforced and perpetuated by treaty, Chinese laborers are excluded from admission to the United States. This embargo, of course, does not apply to students, merchants, Government officers and travelers for curiosity or pleasure. While the labor

unions of the Pacific Coast were agitating against Oriental workers, organized labor on the Atlantic seaboard was seeking relief from the competition of the peasantry of Europe. Congress, inspired by these unions, forged the first link in the chain of so-called contract labor laws which were intended to prevent the importation of workmen whose lower standards might prove and did prove a detriment to American labor and American institutions. Although this legislation secured a limited measure of control over immigration, it was not until a decade later that the Federal Government took over the immigration business, so to speak, which so far had been administered by the several States through whose ports the immigrant tide flowed into the country. In 1891, for example, the Massachusetts State Board of Charity transferred its jurisdiction over immigration at the Port of Boston to the Federal Government.

Among the earliest acts of the Federal Government, after assuming charge of immigration matters, was the appointment of a Federal Superintendent of Immigration and the imposition of a head tax of 50 cents on every immigrant admitted to the country. In subsequent years the amount was raised gradually to the present tax of \$8, as a result of which the Immigration Service early became and continued self-supporting. At the outbreak of the World War, indeed, the books of the Treasury showed an accumulated surplus of several millions of dollars. Under the reduced immigration of the present quota law, however, the income for the time being does not equal the outgo.

With the increasing head tax came an advance in the regulative features of immigration legislation. From time to time various additions were made to the ex-

cluded classes until more than thirty classes of aliens were debarred from admission to the United States. These included about every kind of undesirable or potentially undesirable citizen in so far as such undesirability might be detected by inspection. Federal control of immigration came to look, on paper at least, as if it were practically effective, but it was not in any real sense of the word. When the World War began, for example, of the million and a quarter immigrants who were annually applying for admission to this country the average number of exclusions did not exceed 2 per cent. Nor were the immigration officers ever quite sure that the rejected 2 per cent. were actually kept out of the country. There were several back-door entrances through Canada and Mexico that might be used instead of the front door, and it was not easy to prevent the return of an excluded alien in the guise of a seaman or ship's steward deserting his vessel on arrival.

FAILURE OF PRE-WAR LAW

Some pertinent comments on immigration control at that time are found in Senate Document No. 52 of the Sixty-third Congress, first session, presented by Senator Lodge under date of June 2, 1913. In this document the retiring Commissioner General says that

the present immigration law [this was in 1913] has but little effect in reducing or checking the great influx of aliens. * * * Notwithstanding the mandatory provisions of the law, it has been difficult in the past to deport even when the aliens are mentally or physically defective. It has become customary for friends or philanthropic societies to appeal in behalf of rejected aliens, and in taking such appeals little or no consideration is given the merits of the cases, the desire being in any event to land the alien. The endeavors of all parties concerned are frequently directed to persuading the department that the boards of special inquiry (composed in each instance of three experienced immigration inspectors, who personally examine and observe the aliens and their witnesses) and the Public Health surgeons (doctors of training and experience whose only interest, of course, is to perform their duty) are mistaken in their conclusions; and in the event of their failure to have the alien landed, writs of habeas corpus are sought in an effort to have the courts set aside the

decision of the administrative officers. During the fiscal year ended June 30, 1912, 1,033,212 aliens applied for admission, of whom only 1.4 per cent. were excluded for all causes. Present indications are that for the fiscal year ended June 30, 1913, there will be approximately 1,375,000 applicants for admission and that the percentage of exclusions will not exceed that of the previous year.

An attempt was made to strengthen the immigration laws by the passage in 1917, over President Wilson's veto, of a bill embodying the literacy test for immigrants. In 1918 another law was passed to facilitate the deportation (expulsion) of aliens of the anarchistic and communistic classes. But this additional legislation was of a piece with that which preceded it. No attempt was made to select our immigrants in or to encourage emigration from those countries in which civilization had reached levels corresponding with our own standards. Moreover, we continued to receive vast numbers of immigrants who were determined to live in the more congested sections of the country and comparatively few who were willing to go to those States apparently in need of settlers. Again, the chief motives underlying the immigration movement for several decades had been distinctly economic—motives that are not calculated to set in motion the most desirable classes of a people or nation.

The World War caused a partial cessation of the immigrant tide, but with the signing of the armistice the problem loomed forth in more forbidding aspect than ever. The peoples of war-worn Europe seemingly were preparing en masse to emigrate to America. With our own army of unemployed this threatened inundation spelled disaster. Congress, however, acted with commendable promptness. A barrier was raised in the shape of the first quota law, which became effective on June 3, 1921.

By the quota law a new principle—that of percentage limitation—was introduced. Under this measure the number of aliens admissible from any country to which the law applied was limited to 3 per cent. of the number of nationals of that country residing in the United States according to the census of 1910. Before the enactment

of this law the volume of immigration was largely a matter determined by the facilities of foreign steamship companies. Besides, as has been already said, we were practically helpless in controlling the sources of our immigration or in selecting immigrants in accordance with the needs or best interests of the country. The immediate result of the new law was the reduction of immigration by more than half—from 805,000 in the fiscal year 1921 to 309,000 in the fiscal year ended June 30, 1922. This first quota law, however, was in the nature of an emergency measure and proved defective in a number of ways. After numerous hearings and lengthy deliberation Congress passed a new quota law, which took effect on July 1, 1924.

The quota provisions of the Act of 1924, like those of the Act of 1921, are not of universal application, since they do not apply to Canada, Newfoundland, Mexico, Santo Domingo, Haiti, Cuba or the independent countries of Central and South America. Nor do they apply to China, Japan or the countries included within the so-called geographically barred zone (India, Ceylon, Malaysia, and so forth). The importance of the quota lies in its application to the countries of Europe and the Near East, which have supplied the bulk of our immigration.

THE REDUCED PERCENTAGE

Among the more important features of the new act may be cited (1) the reduction of the percentage of admissible aliens from 3 to 2, based on the census of 1890 instead of that of 1910, and (2) a provision for the control of the quota by American consuls in the various countries affected, who also were given the power to reject prospective immigrants clearly belonging to the excluded classes. In the performance of this important duty the American consuls in a number of European countries are aided by officers of the United States Immigration Service, acting as technical advisers, and by officers of the United States Public Health Service. This system of preliminary inspection abroad has been gradually extended until it now covers practically all the countries of Northern and Western Eu-

rope, or about 75 per cent. of the total immigration from that continent. The results of this system have been most gratifying in the improvement of the quality of immigration and in the reduction to a minimum of the number of those excluded on this side.

Possibly we might include as a logical outgrowth of the new law, but not a part of the law itself, a special provision in the Appropriation act of 1924-25 for the establishment and maintenance of an immigration border patrol force. Under this provision the Bureau of Immigration organized a border patrol service with more than four hundred border patrol inspectors, mounted and otherwise, charged with the duty of preventing the smuggling of aliens into the country from foreign contiguous territory and near-by islands.

Under the act of 1924 provision is made for admitting from quota countries a total of 165,000 quota aliens (new immigrants) as compared with 360,000 under the first quota law of 1921. But, it should be noted, the total number of all classes of aliens admitted from the various countries of the world during the first year under the new law (1925) was 458,435. This total was made up of about 150,000 quota aliens, 60,000 non-immigrants (those entering the country temporarily), 65,000 resident (non-quota) aliens returning from foreign trips, and more than 175,000 aliens born in adjoining territory (Canada and Mexico) to which the quota does not apply.

Not only was the volume of immigration kept down under the new act to comparatively reasonable proportions, but, according to the Commissioner General, in no similar period has immigration been of such a high order—a conclusion based upon the small percentage of rejections in spite of more effective inspection methods. Of aliens from nations subject to the quota 75 per cent. came from the countries of Northern and Western Europe, 12 per cent. from the countries of Southern and Eastern Europe, and 13 per cent. from other countries. In the last fiscal year before the World War the figures were practically the reverse, the record showing 75 per cent. from the countries of Southern and Eastern Europe, 21 per cent. from Northern and

Western Europe and 4 per cent. from other countries.

Although it was commonly expected that the ebbing of the European immigrant tide would have a stimulating effect upon immigration from the countries of the Western Hemisphere, a comparison of the statistics for the fiscal year 1914 (the last year of normal immigration under the old law) with those of the last two or three years shows that such expectations have not been realized except in the case of Mexico. A sharp decline appears to have taken place in immigration from the West Indies. The total arrival of immigrant aliens in 1914 from the West Indies, including Cuba (but not including Porto Rico, which is a part of the United States), was 14,451. Under the present law only 2,106 came from the West Indies in 1924 and 3,222 in 1925.

Mexican immigrant aliens to the number of 62,709 entered the United States, according to the records, in the year 1923. This figure was increased to 87,648 in 1924. Under the new quota law, however, Mexican immigration fell in 1925 to 32,378 and for the fiscal year ended June 30, 1926, rose to 42,638. It is suspected that the fee of \$10 charged for an immigration visa under the present law partly accounts for the lower figures in the past two years. Incidentally, also, the fee may have stimulated smuggling operations along the border. But the actual figures are largely in excess of the record of total immigration of Mexicans under the old laws. In the year 1914, for example, the number of immigrant aliens of Mexican race recorded as entering the country was only 13,089. It may be added that the apparently rising tide of immigration from Mexico (nearly all common laborers) has awakened apprehension in some quarters, and a bill (H. R. 7559) to extend to that country the quota regulations was introduced at the first session of the present Congress.

DOMESTIC SERVANT PROBLEM

Another phase of the immigration problem that has caused more or less speculation has to do with the supply of servants for American homes. In general it may be said that the proportion or percentage

of aliens giving their occupation as domestic servants has remained about stationary during the last fifteen years. The decline in total immigration would therefore be reflected in a corresponding reduction in the number of servants arriving. But this decline may not be as great as was anticipated. In 1914 the total immigration from those countries that heretofore have furnished our domestic help (the countries of Northwestern Europe, including Germany) amounted to 164,133. The allotment for this group of countries under the quota law is 141,099. In view of these figures it appears that no great decrease has occurred. On the other hand, it is possible that a considerable number of young women giving their occupation as servants do not intend to follow that calling but, like their American sisters, prefer to seek other employment. If this should prove to be the case, what of other sources of supply? Canada, which sent us a total of 3,473 servants during the fiscal year 1926, easily stands first. From Mexico during that year only 573 were recorded as servants. Cuba, according to the records, sent us only 28, and from the other West Indies we received a total of 93. Some theorists continue to maintain that if domestic service could be established on a business basis, with regular and reasonable hours, it might be possible to attract our native-born girls to this vocation.

Although satisfied with the greater measure of immigration control under the new law, the Commissioner General points out a number of imperfections disclosed by the experience of the past year, and in the final chapter of his report recommends a number of legislative changes concerning "certain matters that require correction or provision by way of legislation in order that the ends of effective administration may be secured."

"Provision by way of legislation" may be interpreted to mean provision of a financial nature. In the case of the border patrol, for example, a year's experience demonstrated the inadequacy of the available forces to guard the borders with reasonable efficiency. Not only men but additional motor equipment and horses were needed to render the force sufficiently

mobile to cover the territory effectively. Recently an official tour along the Canadian boundary disclosed an increasing pressure of aliens seeking entry to the United States. Evidences of organized smuggling activities are not wanting. Numerous and ingenious devices to accomplish the unlawful entry of aliens into this country are employed by unscrupulous men who are willing to play a dangerous game for high stakes. Sometimes a not overscrupulous alien woman, disqualified for admission in her own right, can persuade an American to marry her with the assurance that she will be allowed to enter the country as soon as official action can be taken under that section of the quota law which provides that an American citizen may petition for a non-quota status for his wife abroad. The immensity of the task of guarding our borders is quite as evident as ever; likewise, the necessity of a large increase in personnel and available funds if the task is to be successfully accomplished.

The Commissioner General recommends the provision of additional men and means with which more effectively to enforce those sections of the general immigration law relating to the deportation or expulsion of aliens found to be illegally in the country—such as aliens of the criminal type, inadmissible aliens who have entered the country surreptitiously and aliens who have become public charges from causes existing before arrival. Deportations (expulsions) for the fiscal year 1925 numbered 9,495, and for the fiscal year 1926 the total was 10,904, breaking all previous records. Nevertheless, the hearings before the House Committee on Immigration and Naturalization showed the need of largely increased resources to cope with the great and unknown numbers of aliens of the inadmissible and dangerous classes who are illegally in the country and frequently are a burden or a menace to the community.

REGISTRATION OF ALIENS

Another important recommendation by the Commissioner General is to provide "through legislation with adequate appropriation of funds for a country-wide registration of all aliens now in the United

States, with provision for future similar registration of newcomers within a stipulated time after entry." The Commissioner General dismisses the various objections that have been raised to this proposal with the statement that we are confronted with a condition and not a theory. American citizens, he says, are frequently called upon to record themselves upon official registers. Any sound and responsible Government would expect and require that resident aliens should "similarly indicate their willingness to become and remain a law-abiding part of the population by properly submitting themselves to enrolment in official records." Until some plan of registration is adopted it will be impossible to ascertain what number or character of aliens are illegally here and subject to removal or possible adjustment of their status. In the absence of such information it is impracticable to make proper recommendations to Congress for control of the great alien problem.

The remaining recommendations of the Commissioner General for legislative changes might be grouped under the head of administrative improvements. Among them is a provision for legalizing the presence in this country of such aliens as entered the country before the date upon which the first quota law became effective (June 3, 1921), and are found to be otherwise admissible except for some technical irregularity in the records of their entry. Recommendations are also made in regard to return permits whereby alien residents desiring to go abroad may be given a re-entry permit, the admittance of students, who, so long as they maintain their status, are exempt from the quota provisions of the law, and the preference to the alien parents of a citizen of the United States over ordinary immigrants in securing immigration visas. The wife and unmarried children under 18 years of age of a citizen are exempt from the quota. The Commissioner General suggests that the non-quota status might perhaps be extended to the parents of citizens, and that the age limit for granting non-quota visas to the unmarried children of citizens should be raised from 18 to 21.

To meet the recommendations of the Bu-

reau of Immigration as well as the wishes of various constituencies in the country at large, 154 bills and resolutions were introduced during the session of Congress which ended on July 3, 1926. Of the measures introduced, three relating to immigration passed both houses of Congress and became law before adjournment. One affects only certain Spanish subjects resident in Porto Rico. Another (H. R. 10661) relates to the families of ministers and professors, who are granted certain exemptions under the quota system. The third measure, known as the Alien Veterans' act, confers a non-quota status upon alien veterans of the military and naval forces of the United States when certain conditions are met, and also on their families.

EXTENSION OF NON-QUOTA PRIVILEGE

The persistent efforts of certain groups to have the non-quota privilege extended to various and numerous classes of aliens kept the immigration committees of both House and Senate on the defensive. Attempts were made, for instance, to give a non-quota status not only to the wife and children but to the parents and even the brothers and sisters of aliens residing in this country. Among the more reasonable of the demands was that set forth in a bill to give non-quota status to the wife and unmarried children under 18 years of resident aliens who had declared their intention of becoming American citizens. The crucial point affecting this and similar demands is the number of immigrants involved. Information from the Department of State, based upon consular and other reports, indicated that the acceptance of this demand alone would add 175,000 immigrants to the population of the country. Under the present law some of these wives and children separated from the husbands and fathers on this side will have to wait several years before their names are reached for an immigration visa. This is a complicated and unhappy situation. Some of the opponents of this resolution, how-

ever, pointed out that the real separation of these families took place when the husband and father departed for the United States. Moreover, it was suggested that these wives and children be given absolute preference under the existing quota and the applications of other immigrants denied until such time as these families have been reunited.

Several so-called deportation bills were introduced and considered by the respective committees of the House and Senate. The House on June 7, 1926, finally passed the Holaday bill (H. R. 12444) by a vote of 138 to 28, but it was not reported from the Senate committee, being left over for consideration at the next session, which opened in December. This bill is a comprehensive measure designed to deal with the immense but unknown number of aliens of the inadmissible classes now resident in the United States. Thousands of them are in charitable or penal institutions supported at the expense of the taxpayers. For example, an inquiry addressed to two Federal penitentiaries in June elicited the information that in one of them there were 111 alien violators of the narcotic laws and 102 in the other. The Holaday bill proposes that these criminals may be proceeded against directly under warrant issued by the Secretary of Labor and deported to the country they came from. Two bills calling for the registration of aliens in accordance with the recommendation of the Commissioner General of Immigration were introduced in the House and referred to committee.

Although progress was made in immigration legislation during the first session of the present Congress, much remains to be accomplished. Chairman Johnson, at the close of the session, declared that the "problems before the committee are still many and intricate. The passage of an immigration restriction act in 1924 by no means settled the problems which have confronted the United States along immigration lines for twenty-five years or more."

Holland's Opposition to Ratifying Belgian Treaty

By A. J. BARNOUW

Professor of Germanic Languages, Columbia University

ON April 3, 1925, the Ministers of Foreign Affairs of Holland and Belgium concluded at The Hague a Dutch-Belgian treaty which was to readjust the relations between the two countries to the new conditions resulting from the World War. Previous negotiations held at Paris in 1920 had ended in a deadlock, owing to Belgium's demand of full sovereignty over the Wielingen, the chief approach from the sea to the Western Scheldt.* But when in 1924 M. Hymans, the Belgian Foreign Secretary, whose policy had led to discontinuance of those negotiations, proposed a renewal of the discussions with avoidance of the vexed Wielingen question, which would be left *in statu quo*, his Dutch colleague, Jonkheer Van Karnebeek, readily acceded to this request, and the treaty was concluded at The Hague, subject to ratification by the two Parliaments.

The Belgian Legislature had little fault to find with the settlement, but in Holland it met with a different reception. Jonkheer Van Karnebeek, once universally admired for his able conduct of the country's foreign affairs, became the butt of severe and bitter criticism. Chambers of Commerce denounced the agreement as detrimental to Holland's economic welfare; military experts warned against it as endangering the country's strategic safety; authorities on international law saw Holland's sovereignty imperiled, and indignation meetings were held all over the country to protest against ratification. It was felt that Jonkheer Van Karnebeek had shown an excess of generosity to Belgium, instead of basing the agreement on a policy of give and take. Concessions were made by Holland alone, and some of these were of a nature

to jeopardize seriously her economic future.

What are these concessions that are thus fraught with peril? There is, first of all, the undertaking on Holland's part to cooperate with Belgium in the digging of a canal from Antwerp to the Moerdijk, which will give the Belgian metropolis a better connection with the mouth of the Rhine than the present route along the Zeeland waterways. Why should Holland, ask Jonkheer Van Karnebeek's critics, aid Belgium in digging a canal through Dutch territory which is destined to divert Rhine shipping from Rotterdam to Antwerp? Why must the Dutch taxpayer's money help Antwerp to compete with Rotterdam? Besides, the new canal will be a waterway of such royal width that the Merwede canal, which is Amsterdam's connection with the Rhine, will be a mere ditch in comparison, so that Holland's second port is also in danger of losing its Rhine-borne traffic. It is safer and fairer, the critics of the treaty argue, to leave things as they are and maintain the present economic balance. Antwerp has the advantage over its two Dutch competitors of being situated deeper inland and, consequently, nearer to its industrial hinterland, with which, moreover, it is connected by a railway system far superior to that on which the Dutch seaports must rely. The latter, however, are favored above Antwerp by their location in the Rhine delta, and now Holland is asked to cancel, by a suicidal pact, that one advantage by which Rotterdam and Amsterdam are able to keep up competition with their Belgian rival. If Belgium derives any claim to Holland's generosity from the economic dependence to which she is reduced by her less fortunate geographic situation, she has canceled that claim, say the critics, by her protectionist measures,

*See A. J. Barnouw. *Holland Under Queen Wilhelmina*, pp. 217-221.

which are hampering Holland's economic development along her southern border line.

But is it true that Antwerp, in comparison to Rotterdam, is nature's stepchild? The phenomenal growth of Antwerp's trade seems to disprove it. In 1890 it ranked sixth, in terms of tonnage, among the great ports of Europe; in 1920 it had advanced to the fourth place; in 1924 it was second only to the port of London. And M. Seghers said in the Belgian Senate that after the completion of the Moerdijk canal Antwerp would become the greatest port of the world. "All too good is neighbor's fool," says the Dutch proverb, and the opponents to the treaty foresee that Holland's uncalled for generosity will earn from Belgium no gratitude, but a demand for more.

DUTCH FEAR ANNEXATION DESIGNS

The same M. Seghers has called the provisions of the treaty the minimum of what Belgium expects. Such utterances do not tend to create in Holland a strong sentiment in favor of ratification. The Dutch cannot forget that M. Seghers was one of the leaders in the Belgian campaign for annexation of Dutch territory, which, thanks to Mr. Lansing and Lord Balfour, met with defeat at Paris in 1920. M. Seghers takes the point of view that Belgium, since she has retracted those demands for Dutch lands, has a right to be indemnified for the loss of what she never possessed nor ever had a right to claim.

It is this atmosphere of suspicion created by the Belgian annexationists six years ago that permeates all the discussions in Holland. In vain Jonkheer Van Karnebeek stressed the fact that the very treaty which the alarmists view with distrust constitutes a safeguard against a renewal of the annexation movement. For the first six articles of the old treaty of 1839 are left unchanged in the new one, and in these the extent of the territories of both countries is fixed once and for all, each of the contracting parties "renouncing forever any claim to the territories, cities, places and localities situated within the limits of the other party's possessions." That same provision, is the rebuttal, did not prevent the annexation campaign from

taking its course in 1919, and the experience of those days should be a warning to Dutch statesmen not to rely on scraps of paper when land hunger has to be satisfied. But the Belgians, at that time, had their appetite stimulated by the chance of expansion that the proposed revision of the treaty seemed to offer them; the treaty now up for ratification relegates that chance to the realm of false illusions and clamps the lid on all ambitions that may still be fostered in the minds of land-hungry politicians in Belgium.

The treaty provides for yet another connection between Scheldt and Rhine via the Meuse by means of a canal to be dug across Dutch Limburg. Belgium's right to such a link was already conceded in the old treaty of 1839; but Holland was released from her obligation on that score when Belgium, in 1873, obtained free passage through Limburg for a railway which she chose in preference to a canal. The objections against this provision, however, are less strong and less universal, as it is felt that Limburg's peculiar position between Germany on the east and Belgium on the west would not justify Holland in frustrating plans for a direct waterway between those two countries. But Holland's concession on this point is an additional argument, in the eyes of Jonkheer Van Karnebeek's critics, against the objectionable Moerdijk canal. The Limburg canal will enable Antwerp shipping to intercept the traffic upon the Rhine above Ruhrort, to the detriment of Rotterdam and Amsterdam, and after helping Belgium to this device for directing the course of freights to the Belgian port, Holland may well feel that she has done more than her neighborly duty.

The new régime that the treaty provides for the Scheldt below Antwerp is another of its assailable points. Under the Treaty of 1839 the two countries were given joint control over the Scheldt below Antwerp through commissioners whose task it was to keep its navigability unimpaired. The new treaty replaces these by a joint directorate consisting of an equal number—three at least—of Belgians and Hollanders, and vested with more extensive powers than the commissioners possessed under

the old régime. This condominium over Dutch territorial waters is felt to be a serious infringement of Netherlands sovereignty. Holland, under these new provisions, waives the right of vetoing measures decided upon by the directorate in the interest of navigation, although their execution would endanger vital interests of her nationals inhabiting the banks of the river. for the directorate's duty is exclusively to care for the navigability of the Scheldt; the safety of the dikes is not its concern. But these two matters can not thus be severed. They are two aspects of one problem. Every interference with the river's bed will affect the conditions of its banks, and one has to be born and bred among the Dutch to know what importance is attached to the dikes which must protect them against the inroads of the water. The islands of the Province of Zeeland have spent millions and millions in the course of centuries to make their polders proof against the attacks of the everlasting enemy. The Executive Committee of the States of that province has unanimously passed a resolution protesting against those provisions of the treaty that make the directorate arbiters over matters affecting the safety of the province.

"The high contracting parties," says Section 2 of Article 4, "consider it a fundamental principle that the Western Scheldt, with its approaches from the open sea, as well as the Scheldt below the harbor works of Antwerp, shall at all times, as far as their navigability is concerned, have to answer the requirements that are made upon them by the progress of shipbuilding as well

as by the increasing needs of navigation." No Hollander will deny that the river must be kept navigable, but to embody this duty in the treaty in terms that do not allow for any limitations shoulders Holland with a responsibility whose unqualified fulfillment she cannot guarantee. The Western Scheldt is an unaccountable river, which is always changing its course because the shoals are in a constant state of flux. Even now it is inaccessible for the largest sea ships. How, then, can Holland engage that the river shall "at all times answer the requirements that are made upon it by the progress of shipbuilding and the increasing needs of navigation?" Holland, while recognizing Belgium's right to a navigable Scheldt, cannot undertake to guarantee unlimited enjoyment of that right, because the erratic nature of the river may suddenly confront



Map illustrating the new treaty between Holland and Belgium

her with conditions that make it humanly impossible for her to stand by her word. And if, in such an event, the directorate should order works that might endanger the Zeeland dikes and threaten the polders with inundation, the Dutch Government would not possess the right of veto, since the interest of shipping is paramount: "With regard to all measures and works which could not, without serious damage to navigation, be postponed until the approval of both Governments had been obtained * * * the decisions of the directorate may be executed without having been submitted for approval to the Governments." Thus Holland would surrender the safety of her people to an international body which is bound by its instructions to consider that safety of only secondary import.

STRATEGIC CONSIDERATIONS

Much discussion has appeared in the Dutch press regarding the consequences of the abrogation of Article XIV of the old treaty of 1839 that Antwerp shall be an exclusive commercial port. That opens the door, according to Jonkheer Van Karnebeek's critics, to its equipment as a naval base; and their suspicions of Belgium's ulterior designs in that direction are strengthened by a somewhat mysterious statement in an explanatory memorandum to the effect that the context of the treaty excludes, indeed, war vessels from the principle of free navigation on the Scheldt, but "does not settle anything about the passage of Belgian warships through the Scheldt and its approaches in time of either peace or war." Belgium does not possess a fleet, so that this question has only an academic value, it is argued from the Belgian side. But how can Holland be sure that Belgium will never possess a fleet? The transfer of battleships and submarines from the French to the Belgian flag is a formality that can take place at a moment's notice, and in this connection the *Nieuwe Rotterdamsche Courant* reminded its readers of the existence of a secret military agreement concluded between France and Belgium. The very reticence which Paris and Brussels maintain as to its contents is

bound to give rise to all sorts of ominous rumors, and these cannot fail to create an atmosphere of suspicion and distrust. One of these rumors is that France guarantees under this treaty that in case of mobilization the Belgian coast shall be occupied by, or with the aid of, the French fleet. If Holland, in such an event, should be obliged under the new treaty to admit this fleet in its territorial waters, the other belligerents would claim the same right of entry, the Western Scheldt would become a scene of war, and Holland herself an unwilling belligerent. For in the explanatory memorandum to the treaty the Dutch Government declares that in a new armed conflict between European powers it would consider any violation of its territory to be a *casus belli*.

It was Napoleon who made Antwerp the naval base for his attack upon England; it was England that insisted, after his fall, that the pistol he had aimed at her heart should remain unloaded. Hence the provision of the Treaty of Paris of 1814, renewed in the Treaty of 1839, that Antwerp should be an exclusively commercial port. What reason could Belgium have to reload the pistol and hand it to France? And why should France desire to threaten England with Napoleon's gesture? With these questions the alarmists in Holland are confronted by those who do not believe in the possibility of a new European conflagration. Even if there were ground for the suspicion that Belgium, in concluding this treaty, was serving strategic aims of the French military staff, Holland might still find her advantage in ratification. For Belgium, rebuffed by a refusal to ratify, would have more reason than ever to turn to her powerful neighbor in the south for economic aid and military protection, whereas a rapprochement between Brussels and The Hague would give backbone to Belgium and make the country less dependent on outside support. The Flemish extremists who want an autonomous Flanders are for that very reason opponents of the treaty. They do not want a strong and self-reliant Belgium; they are not anxious to see her live on friendly terms with Holland. A widening of the cleavage between Dutch-

speaking and French-speaking Belgians would serve their purpose better, and continuous anti-Dutch sentiment among the latter, which non-ratification is bound to intensify, would therefore be grist to their mill. But Holland has no political interest in furthering the schismatic aims of Flemish provincialism; her interest is in amicable relations with Belgium. And the question to which the entire controversy between Dutch advocates and opponents of the treaty narrows down is whether the concessions that it makes to Belgium are too high a price for the re-establishment of friendship and good-will. For it is certain that even the fiercest critics of Jonkheer Van Karnebeek admit the desirability of good relations. They will agree with him that an independent, prosperous and friendly Belgium is the logical substitute for the lost security that evolved for Holland from Belgium's guaranteed neutrality. They differ from him only in their appraisal of the sacrifice involved.

It is possible to view the three great seaports of Holland and Belgium in a different light from that which throws their rivalry into relief. "Between the French group of harbors on the one side and the German group of harbors on the other the trio of Dutch and Belgian Rhine and Meuse ports appear as a natural geographical unity, which has to defend identical interests against French and German canal plans that are intended to divert Rhine traffic to their own harbors." In these words Jonkheer Van Karnebeek has summed up the Dutch-Belgian situation as it is seen from a higher and more remote point of view. Within the large and diversified community of Europe, Belgium and Holland have natural interests in common,

which it is their mutual advantage to defend by joint accord. In judging their case the critic should place himself upon that elevated standpoint, and, excluding from view the differences of the past, focus his attention upon that natural community of interests, that he may find in these a basis for mutual understanding and co-operation. "Such a standpoint," to quote Jonkheer Van Karnebeek again, "must necessarily be raised above special and partial concerns which, however important they may be, cannot be allowed to preponderate where reasons of State are at stake. It is only natural that such interests should assert themselves, and it is the statesman's duty to take them into consideration. But there are limits which are fixed by the nature of the case itself. In former days complaints were heard similar to those now raised against this treaty. At the time of the severance of the Union, and in the '40s and '60s when treaties were in order for the settlement of questions resulting from the pact of 1839, protests were raised against one-sided arrangements, against the impending decay, if not the annihilation, of the Rhine trade, and against the shortcomings of Netherlands diplomacy. Nevertheless, those treaties were concluded, and the subsequent course of events has fully vindicated them." And Jonkheer Van Karnebeek feels confident that the new treaty, for which he is responsible, will also find its justification in the verdict of history. He has won the first round in the battle with his opponents. The Second Chamber, on Nov. 11, approved the treaty by a very slight majority. Responsibility for its ratification or rejection now rests with the Senate, the First Chamber, so called, of the Netherlands States-General.



Origin and Aims of the Cantonese National Party

By CHANG WEI CHIU

A graduate of Columbia University and editor-in-chief of *The Chinese Students' Quarterly*

OUTSIDE China the Kuomintang, or People's Party, which is now showing its strength in so remarkable a manner, has been of late regarded as a Bolshevik organization for the simple reason that it has accepted assistance from Soviet Russia. To what extent the Kuomintang has been Bolshevized is not known. Even the extent of material aid in money, munitions and strategists is a matter of conjecture. In the meantime, however, it is possible to clear up some of this "Oriental mystery" by an exposition of what the Kuomintang stood for before—and therefore quite independently of—any possible Bolshevik influence.

As a party the Kuomintang is more than thirty years old. It was first, though, known by another name, a secret revolutionary organization under the leadership of the late Dr. Sun Yat-sen. Until 1911 China was a monarchy under the tyrannical grip of the non-Chinese Manchus, who were impotent to deal with both the internal and the external problems then confronting China. Within were political corruption and racial hatred between Chinese and Manchus; without were designing and aggressive foreign nations. The disintegration of China seemed imminent. To avert this impending catastrophe Dr. Sun led his party in a revolutionary movement to overthrow the Manchu monarchy. The revolution had been brewing since 1895, and in 1911 the Manchu monarchy was deposed and in its stead a modern republican form of government was inaugurated.

From 1911 to 1912 the Kuomintang played a conspicuous part in the formation of the republic, of which Dr. Sun was the first President. Indeed, the party was so powerful that Yuan Shi-kai, Dr. Sun's successor, "dissolved" it. With hundreds of his party associates Dr. Sun was thus ex-

iled to Japan, where he reorganized the party on a revolutionary basis to rescue China from the reactionary mandarin forces that had their centre in Peking. Since 1914 the Kuomintang has gone through varied experiences—experiences which have served to make clear to its leaders the necessity for continuing its revolutionary activities so as to establish China on the basis of certain definite principles.

These principles, which have been formulated in the light of existing conditions in China and the experience of Western nations, are as old as the party itself. They are three in number—the "Three Principles of the People," as they are popularly called in China. There is nothing strange to an American about them. Dr. Sun, when an exile in the United States, being once asked to explain to an American inquirer what the "Three Principles of the People" were, answered simply, "Government of the Chinese people, by the Chinese people, for the Chinese people."

The first principle is nationalism, that is, the emancipation of the Chinese people from foreign rule or control, and equality of all racial groups within China. Before 1911 the rallying cry of the party was "Down with the Manchus." When, however, the Manchus were overthrown, the party had to face a greater peril—European and Japanese imperialism. Hence the formulas "Down with Imperialism" and "China for the Chinese"—in other words, "government of the people"—the Chinese people. In this formula we have the key to the rise of the new nationalism—a new impulse in China which has had a cultural but not a national consciousness, "patriotism," as it has been understood in the West.

In defining political democracy, the sec-

and principle, Dr. Sun made the distinction between direct and indirect democracy. By the former he meant the rights of initiative, referendum and recall; by the latter the right to vote. "These," he declared, "are the four essential rights of the people in a democracy, in which the people not only vote candidates into offices, but, if need be, also recall them after they are seated, and possess the right to initiate laws or to vote upon them after these laws have passed the Legislature." Government under Dr. Sun's principles is to be divided into five branches—the Legislature, the judiciary, the executive, the civil service (with selection of both civil and military officers by competitive examinations) and an impeaching body, or censors (to bring any guilty official, even the highest in the land, to the bar of justice). "The establishment of this independent impeaching body," Dr. Sun declared with emphasis, "will tend to lessen particularly the corruption practiced at elections prevailing in the so-called parliamentary democracies in the West. The modern democratic system has become a convenient tool of one class of the people, the capitalist class, to exploit the poor. But under the principle of the Kuomintang we will establish a political democracy not for the benefit of the few rich men but for the benefit of all. Ours is a government by the people, the common people."

The third principle is that of economic democracy, which again has two aspects, the readjustment of land-ownership and the regulation of capital. The National Government, according to this principle, should make laws regulating the rent of land, land taxation and the use and value of land based upon report of the landowner himself. As, Dr. Sun put it, "A

landowner will neither underrate nor overrate his land, because if he underrates it he must sell at that valuation, while if he overrates it he must bear the added burden of taxation." In an attempt at riding China of the tenant evil the Kuomintang principle calls on the Government to provide land for those in need of it, and also the establishment of rural credit banks. With regard to the regulation of capital, the party holds that all enterprises of a monopolistic nature or conducted on such a scale as is beyond the financial resources of individuals (for example, railways, banks and shipping) should be undertaken by the National Government. These two economic proposals aim at securing "government for the people."

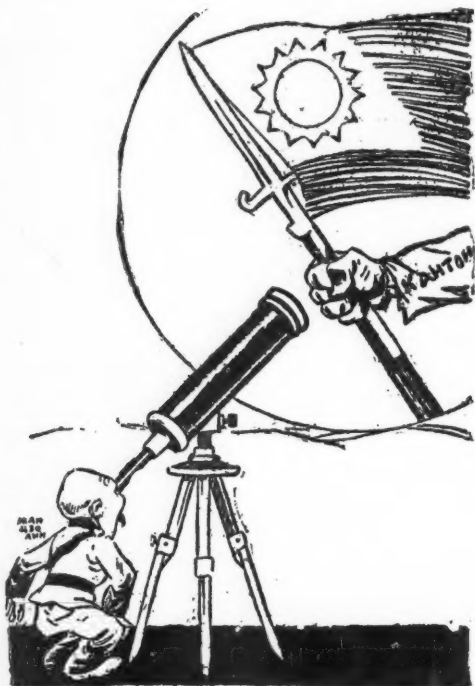
THE KUOMINTANG PLATFORM

The present policies, or platform, of the Kuomintang, formulated at the national



"WHOSE COUNTRY IS THIS, ANYHOW?"

—New York World



ON THE CHINESE HORIZON
Chang Tso-lin sees the rising sun (the
Cantonese flag)
—*Izvestia, Moscow*

convention of the party in January, 1924, and reaffirmed at the last convention in February, 1926, are as follows:

(A) FOREIGN POLICIES

1. All present treaties not based on the principle of equality between China and any foreign power to be abrogated (thus covering extra-territoriality, foreign control of tariff, "spheres of influence" and all other political privileges enjoyed by foreign powers at the expense of China,) and all other future treaties to be based on such equality.

2. Any nation voluntarily relinquishing such special privileges is to be treated by China as in actual fact a "most favored nation."

3. No foreign loan made to China to be repudiated unless detrimental to the political and economic rights of China, or contracted by an irresponsible government for illegitimate uses.

4. A national convention of such groups as chambers of commerce, banking associations and educational associations, to be called to devise ways and means to free China from economic bondage to foreign powers by refunding foreign loans.

(B) DOMESTIC POLICIES

1. The Kuomintang advocates a middle course between a centralized and a decentralized form of government.

2. Each Province to have the right to establish its own constitution and elect its own officers as it sees fit. Whenever the National and the Provincial constitutions are in conflict, the former prevails. The Governor of a Province to have a dual function as executive of the Province and as representative of the National Government.

3. A *Hsien*, or district, shall be recognized as the local administrative unit for self-government, electing and recalling its officers thereof, and initiating and voting upon laws.

All taxes from lands and revenues from water power, forests and mining to go to the Treasury of the *Hsien* Government.

The National Government to give grant-in-aid to any *Hsien* for certain public purposes.

Each *Hsien* to contribute to the Treasury of the National Government a certain percentage of its receipts, from 10 to 50 per cent.

4. A universal suffrage law to be enacted, replacing the existing election law based upon property ownership.

5. A civil service system to be established.

6. Compulsory military conscription to supersede the present recruiting system, and the economic and legal status of the army and navy to be raised, and agricultural and vocational training to be given to soldiers.

7. The right of the people to assemble, to organize and to express themselves in speech or in writing to be guaranteed; and the right of residence and freedom of belief to be protected.

8. The idle and the vicious to be put to compulsory work.

9. Land revenues and rents to be regulated by law, and unnecessary taxes such as *likin* to be abolished.

10. A census to be taken; arable land conserved; and both production and consumption of the people regulated, so as to distribute equitably the wealth of the nation.

11. Labor laws to be enacted; working conditions improved, and labor organizations protected and encouraged.

12. Equality of sex in the legal, economic and educational fields to be promoted.

13. Universal education to be provided.

14. Industrial enterprises of a monopolistic nature or beyond the financial resources of individual entrepreneurs to be undertaken by the National Government.

These are the minimum demands of the Kuomintang, and "constitute the first immediate step to the salvation of China."

That the Kuomintang is a nationalistic party is evident. The enthusiasm and vigor which the party has recently manifested in its opposition to the Peking Government and to the foreign imperialistic powers, show no direct inspiration by Bolshevism. Other reasons plainly account for the present hold of the Kuomintang upon the Chinese people. The salvation of China has been the party's definite and positive purpose from its beginning. The Canton Government, which has been under the control of the party, has evidenced a degree of efficiency, honesty and progressiveness in striking contrast to the dilapidated Peking Government. Furthermore, the Kuomintang has tenaciously and successfully boycotted the Hongkong Government—in Chinese eyes, the only bright page in the history of China's foreign relations.

THE INSPIRATION OF SUN YAT-SEN

Perhaps the most important reason for the phenomenal growth of the Kuomintang is the inspiring personality of its founder, Dr. Sun Yat-sen, patriot and fighter, who dedicated his life to the cause of China. To members of the party Dr. Sun is a martyr, the focus of a new national religion. His principles are being taught in schools, including the missionary schools in the Province of Kwangtung, as a required course, and are daily preached to the youth, to the army, to workingmen

and to the people as a whole. Whenever and wherever the Kuomintang holds sway. Dr. Sun's parting message is recited before the opening of any meeting. Particularly in the Province of Kwangtung the daily routine of the school children invariably begins with a bow to Dr. Sun's picture and a recitation of his parting message. This message, which is being thus graven on the minds of so many millions of Chinese, reads:

For forty years I [Dr. Sun] devoted my life to a revolutionary cause in an attempt to elevate China to a state of freedom and independence. My experience of these eventful years has absolutely convinced me that to attain this cherished goal we must enlist the support of the great mass of people at home and work in cooperation with those nations which treat us on the basis of equality.

The revolutionary movement has not as yet succeeded, and it is therefore imperative that all my fellow-workers should do their utmost in order to realize my "Reconstruction Plan," "Outlines of Reconstructive Policies," "The Three Principles of the People," and the policies enunciated in the manifesto of the Kuomintang at the first national convention.

Fight on, my fellow-workers, with renewed vigor to bring about a People's Convention for the solution of our national problems and to abolish the unequal treaties with foreign nations. These things must be done in the shortest time possible.

(Signed), SUN WEN (SUN YAT SEN.)

Nationalism, not Bolshevism, is the driving force that moves China today.



Text of the Constitution of Egypt

THE Constitution of Egypt, which was promulgated in April, 1923, has recently been translated from the French text and published by the Carnegie Endowment for International Peace. The document—"Royal Proclamation No. 42 of 1923 Establishing the Constitutional Government of the Egyptian State"—reads as follows:

We, King of Egypt,

In consideration of Our advent to the Throne and Our pledge to safeguard the trust that the Most High has confided to Us, all Our efforts have constantly been expended in assuring the welfare of Our People, and in guiding them in the path which We knew would lead to happiness and progress, and to the benefits that free and civilized people enjoy;

In considering that this result can be fully obtained only by possessing a constitutional government comparable to the best and most modern of constitutional governments, and calculated to assure to the people a happy, prosperous and independent life, to guarantee them effective participation in the administration of public affairs, the expansion of laws and the control of their observance; to inspire them with faith and confidence in the present and the future while safeguarding the patriotism and the distinctive qualities and characteristics that are their glorious historic heritage;

In considering that it has always been the most cherished ideal and the main object of Our efforts to raise Our People to a rank commensurate with their past historic greatness, a rank to which their intelligence and talents give them the right to aspire, with a view to enabling them to hold worthily the place among other civilized nations that they richly deserve

WE ORDER:

TOPIC I—NATURE AND GOVERNMENT OF THE STATE.

Art. 1—Egypt is a sovereign State, free and independent. Its rights to sovereignty are indivisible and inalienable, its Government is that of an hereditary monarchy; it has a representative government.

TOPIC II—RIGHTS AND DUTIES OF EGYPTIANS.

Art. 2—Egyptian nationality is determined by law.

Art. 3—All Egyptians are equal before the law. They enjoy equally civil and political rights and are equally subservient to public responsibilities and obligations, without distinction of race, tongue or religion. They alone are eligible to public offices, civil and military; foreigners are not eligible except in unusual cases, determined by law.

Art. 4—Individual liberty is guaranteed.

Art. 5—No one can be arrested or detained except in conformity with the decrees of the law.

Art. 6—No infraction and no punishment can be established except by virtue of the law. Punishment cannot be inflicted except for infractions committed after the promulgation of the law that provides for them.

Art. 7—Egyptians cannot be banished from Egyptian territory. They cannot be forbidden to sojourn in any locality, nor be obliged to remain in a stated place, except in such cases as are provided for by the law.

Art. 8—The domicile is inviolable. A domiciliary inspection cannot take place except in such cases provided for by law, and following the forms prescribed by law.

Art. 9—Property is inviolable. No one can be deprived of his property except for public use, and that in cases and in a manner established by law, with a just indemnity provided.

Art. 10—Punishment by general confiscation of property is illegal.

Art. 11—The secrecy of letters, dispatches and telephone communications is inviolable, except in cases provided for by the law.

Art. 12—Liberty of conscience is absolute.

Art. 13—The State protects, in conformity with usages established in Egypt, free exercise of any religion or faith, provided it does not interfere with public order and good manners.

Art. 14—Liberty of opinion is guaranteed. Within the limits of the law, every person has the right to express freely his thought by word, writing, pictures, or otherwise.

Art. 15—The press is free within the limits prescribed by law. Preventive censorship is forbidden. Warnings, suspension or suppression of newspapers by administrative means are also forbidden, except in cases where it is necessary to use such means for the protection of the social order.

Art. 16—No restriction can be imposed on the free usage of any language in private intercourse, in commerce, in matters of religion, in the press or any kind of publication, or in public meetings.

Art. 17—Teaching is free so long as it does not interfere with public order and good manners.

Art. 18—Public instruction is regulated by the law.

Art. 19—Elementary instruction is obligatory for the younger Egyptians of both sexes. It is free in the public *Maktabs*.

Art. 20—Egyptians have the right to congregate peaceably and unarmed. The police cannot attend their meetings and it is not at all necessary to advise them of it. This disposition is not applicable to public meetings, which are compliant with the prescriptions of the law, and cannot hinder or restrain any measure taken for the protection of social order.

Art. 21—Egyptians have the right of affiliation. The law determines the exercise of this right.

Art. 22—Egyptians have the right to apply to public authority by petitions bearing their

signatures. Only established authorities and persons of good repute have the privilege of making such petitions.

TOPIC III—CONCERNING POWER.

Chapter I—General Methods.

Art. 23—All power emanates from the Government. It is exercised in the manner established by the present constitution.

Art. 24—Legislative power is exercised by the King, concurrently with the Senate and the Chamber of Deputies.

Art. 25—No law shall be promulgated if it has not been voted by Parliament and sanctioned by the King.

Art. 26—The laws are applicable in all Egypt by virtue of their promulgation which is made by the King, and which is followed by their publication in the Official Journal. They shall be executed in every part of Egypt as soon as their publication is general, which is thirty days from this publication. This interim can be shortened or prolonged by a formal disposition of the law.

Art. 27—The law is effective only for the future; it has no retroactive effect, except in cases provided for by special amendment.

Art. 28—The promulgation of the laws belongs to the King, the Senate and the Chamber of Deputies. But the creation of a new tax or the increase of an existing one can take place at the initiation of the King and the Chamber of Deputies.

Art. 29—The executive power belongs to the King, under conditions established by the present constitution.

Art. 30—The judiciary power is exercised by the courts of different jurisdictions and grades.

Art. 31—The decrees and sentences of the different courts are issued and executed in conformity with the law and in the name of the King.

Chapter II—Concerning the King and His Ministers.

SECTION 1. CONCERNING THE KING.

Art. 32—The throne of the Kingdom of Egypt is hereditary during the Dynasty of Mohamed-Ali. The succession to the throne shall take place in conformity with the order established by the Edict of the thirteenth of April, 1922.

Art. 33—The King is the Supreme Chief of the State. His person is sacred.

Art. 34—The King sanctions and promulgates the Laws.

Art. 35—If the King does not approve a bill voted by Parliament he sends it back within a month for revision. Failure to return it within such time is equivalent to sanction and the law shall be promulgated.

Art. 36—If the bill is returned within the aforesaid time and is voted upon a second time by a two-thirds majority of the members composing both Chambers, it will become a law and shall be promulgated. In default of this majority, the discussion cannot again be renewed in the course of the same session. If, in the following session, Parliament votes on the same bill, with the same majority of votes, this bill becomes a law and shall be promulgated.

Art. 37—The King makes the provisions necessary for the execution of the laws without modifying or suspending the laws themselves, nor dispensing with their execution.

Art. 38—The King has the right to dissolve the Chamber of Deputies.

Art. 39—The King can adjourn the session of Parliament. However, the adjournment may not exceed a month's time nor be renewed in the same session without the consent of both Chambers.

Art. 40—In case of necessity the King can convoke Parliament for extra sessions. This convocation can take place also by petition signed by an absolute majority of the members composing one or the other of the two Chambers. The King adjourns the extra session.

Art. 41—If, in the interval between sessions of Parliament, it becomes necessary to take urgent measures which cannot be delayed, the King makes decrees having the power of laws provided they are not contrary to the constitution. Parliament must be immediately convoked in extra session and these decrees must be submitted at the first meeting. If these decrees are not submitted to Parliament or if they are rejected by either of the two Chambers, they cease to have power as laws.

Art. 42—The King opens the ordinary session of Parliament by a speech from the throne addressed to the two Chambers explaining the situation of the country. Each of the two Chambers shall present an address in response to this speech.

Art. 43—The King creates and confers civil and military rank, decorations and all other distinctions. He has the right to coin money in execution of the law. He has the right of pardon and of commutation of punishment.

Art. 44—The King organizes public services; he appoints and dismisses officers according to conditions determined by the law.

Art. 45—The King proclaims a state of siege. The proclamation of a state of siege must be immediately submitted to Parliament which will decide whether to confirm or suppress it. In case the proclamation of a state of siege is made when Parliament is not in session, it must be convoked at once.

Art. 46—The King is Commander in Chief of the Army and Navy. He appoints and dismisses officers. He declares war, makes peace and concludes treaties which he makes known to Parliament as soon as the interest and safety of the State permits, adding suitable communications. However, an offensive war cannot be declared without the consent of Parliament. Treaties of peace, of alliance, of commerce, of navigation, as well as all those which cause either a modification of the territory of the State, or an abridgement of the rights of dominion, or an expense upon the public treasury, or which are prejudicial to public or private rights of Egyptian citizens, shall take effect only after the assent of Parliament. In any case, the secret articles of a treaty cannot nullify articles patent.

Art. 47—The King cannot simultaneously be chief of another State without the consent of Parliament. Neither of the two Chambers can determine the question unless two-thirds at least of the members who compose it are present, and the resolution cannot be adopted unless two-thirds of the voters agree.

Art. 48—The King exercises his powers through the medium of his ministers.

Art. 49—The King appoints and dismisses his ministers. He appoints and dismisses diplomatic representatives on the motion of the Minister of Foreign Affairs.

Art. 50—Before assuming his constitutional duties the King takes, before the assembled Chambers, the following oath: "I solemnly declare before Almighty God, to observe the constitution and the laws of the Egyptian people, to maintain the national independence and integrity of the country."

Art. 51—Regents do not enter upon their functions until they have taken, before the assembled Chambers, the oath prescribed in the preceding article, adding thereto: "and to be faithful to the King."

Art. 52—On the death of the King, the Chambers meet together without being summoned, in the ten days following the publication of his death. If the Chamber of the Deputies has been dissolved and the meeting has been called for a later date than the tenth day, the old Chamber resumes its functions until the meeting of the one which is to replace it.

Art. 53—In the default of there being an heir to the throne the King may name his successor with the consent of both Chambers in session. For the validity of the deliberations, three-fourths of the members composing each Chamber must be present and a majority of two-thirds of the voters is necessary.

Art. 54—In case of a vacancy on the throne, owing to the absence of an heir or a successor named in accordance with the preceding article, both Chambers concur immediately in electing a king. This election must take place within eight days after their assembling. For the validity of this election, the presence of three-fourths of the members, which compose the two Chambers, and a majority of two-thirds of the voters is necessary. In the case where the election could not be made in the time prescribed above, the two Chambers proceed with the election on the ninth day, whatever be the number of members present and the relative majority of voters. If the Chamber of Deputies be dissolved when the throne becomes vacant, it resumes its functions until the meeting of the one which is to replace it.

Art. 55—From the date of the death of the King until the taking of oath by his successor to the throne, or Regents, the constitutional powers of the King are exercised in the name of the Egyptian people by the Council of Ministers and under its responsibility.

Art. 56—At each accession to the throne, a law establishes for the duration of the reign, the allowance of the King as well as that of the royal family. The law fixes also the allowance of the Regents, which shall be deducted from the allowance of the King.

SECTION 2. CONCERNING THE MINISTERS.

Art. 57—The Council of Ministers is the head of the State Department.

Art. 58—None but Egyptians can be ministers.

Art. 59—No member of the ruling dynasty can be a minister.

Art. 60—The decisions of the King pertaining to the affairs of the State have no effect unless countersigned by the President of the Council of Ministers and the suitable ministers.

Art. 61—Ministers are jointly responsible to the Chamber of Deputies for the general policies of the government and, individually, for the acts of their departments.

Art. 62—In no case can a verbal or written order from the King relieve a minister of his responsibility.

Art. 63—Ministers have free access in the Chambers and should be heard whenever they make a demand. But they shall not take part in the voting in one or other of the Chambers unless they are members of it. They can be represented by the high officials of their departments. Each of the Chambers has the right to ask the presence of ministers at its meetings.

Art. 64—No minister can become a purchaser or tenant of property belonging to the State, even through public auction. Neither can he, during the exercise of his duties, be a member of an administrative council or any society whatever, nor take an active part in a commercial or financial enterprise.

Art. 65—When the Chamber of Deputies declares that it has no confidence in the Cabinet, the ministry must resign. If the vote does not endorse a minister, he should resign.

Art. 66—The Chamber of Deputies alone has the right to put ministers on trial for all infractions committed in the exercise of their functions. The arraignment can be decided only by a majority of two-thirds of the votes. The Special Court of Justice alone has the right to try ministers for the said infractions. The Chamber shall name among its members those who shall be charged to bring the accusation before the said Court.

Art. 67—The Special Court of Justice is composed, under the chairmanship of the President of the highest court, of sixteen members of which eight are Senators designated by drawing of lots, and eight are Egyptian magistrates of this Court taken in order of seniority. In case of an insufficient number of magistrates, this number shall be completed by the Presidents of the Courts or Tribunals of the order immediately below and, in their default, by the magistrates of those Courts or Tribunals, always in order of seniority.

Art. 68—The Special Court of Justice shall apply the penal code for infractions that are provided for therein. A special law shall adjudge cases not provided for through said code.

Art. 69—Sentences of condemnation of the Special Court of Justice are rendered by a majority of twelve votes.

Art. 70—In waiting for the promulgation of a special law, the Special Court of Justice shall itself settle the procedure following the sentence of the ministers.

Art. 71—A minister arraigned by the Chamber of Deputies is deprived of his functions until the Special Court of Justice has acted on his case. The resignation of a minister does not prevent the continuation of his prosecution.

Art. 72—A minister condemned by the Special Court of Justice cannot be pardoned except with assent of the Chamber of Deputies.

Chapter III.—Concerning Parliament.

Art. 73—Parliament is composed of two Chambers: the Senate and the Chamber of Deputies.

SECTION 1. THE SENATE.

Art. 74—The Senate is composed, for two-fifths of its members, of senators appointed by the King, for the other three-fifths, of senators elected on the basis of universal suffrage, in accordance with the dispensation of the Electoral Law.

Art. 75—Every Moudirieh or Gouvernorat of

180,000 inhabitants or more elects a senator for every 180,000 inhabitants or fraction thereof not lower than 90,000. The Moudirieh or the Gouvernorat containing less than 180,000 inhabitants, but not less than 90,000, elects a senator. The Gouvernorat containing less than 90,000 inhabitants elects a senator unless the Electoral Law attach it to another Gouvernorat or to a Moudirieh.

Art. 76—The Moudirieh or Gouvernorat, or the part of a Moudirieh or Gouvernorat, which elects a senator constitutes an electoral district. A law shall determine the electoral districts assuring as much as possible the equality of the districts in the Moudirieh and Gouvernorats having the right to more than one senator. However, the law can consider the county seat of a Moudirieh, which contains less than 180,000 inhabitants, but not less than 90,000, as forming one distinct electoral district; in this case, the other parts of the Moudirieh shall be considered as one distinct Moudirieh, so far as it concerns either the determination of the number of senators to be elected or the determination of the electoral districts.

Art. 77—To be a senator it is necessary, in addition to the conditions provided for by the Electoral Law, to be forty years of age, calculated by the Gregorian Calendar.

Art. 78—To be elected or appointed a senator, it is necessary to belong to one of the following categories:

(1) Ministers; Diplomatic Representatives; Presidents of the Chamber of Deputies; Under Secretaries of State; Presidents and Counselors of the Court of Appeal or of Jurisdiction of the same or of a superior rank; Attorney Generals; Presidents of Lawyers' Associations; Officials of State of the rank of Director General or higher—president as well as past.

(2) High representatives of the Corps of Turkish doctors of law and of the clergy; retired general officers of the rank of Lewa and of a higher rank; Deputies having been a member of the Chamber during two legislatures; land owners paying taxes amounting annually to at least L. E. 150; persons having an annual income of at least L. E. 1,500 and taking part in financial, commercial or industrial enterprises, or belonging to a learned profession; all the above, with certain reservations for the differences in functions provided for by the constitution or by the Electoral Law. For the Moudirieh of Assouan, the amount of taxes as well as the annual revenue shall be fixed by the Electoral Law.

Art. 79—The length of a senator's term of office is ten years. Half of the senators elected or appointed are renewed every five years. Withdrawing senators can be reelected or reappointed.

Art. 80—The President is chosen by the King. The Senate elects from among its members two Vice Presidents. The President and Vice Presidents of the Senate are elected for two years. They are eligible for reelection.

Art. 81—In case of dissolution of the Chamber of Deputies, the session of the Senate shall be suspended.

SECTION 2. THE CHAMBER OF DEPUTIES.

Art. 82—The Chamber of Deputies is composed of members elected on the basis of universal suffrage, conforming to the dispensation of the Electoral Law.

Art. 83—Every Moudirieh or Gouvernorat of 60,000 inhabitants or more elects a deputy for every 60,000 inhabitants or fraction of 60,000 not less than 30,000. The Moudirieh or Gouvernorat of less than 60,000 inhabitants but not less than 30,000 elects a deputy. The Gouvernorat of less than 30,000 inhabitants elects a deputy unless the Electoral Law attaches it to another Gouvernorat or to a Moudirieh.

Art. 84—The Moudirieh or the Gouvernorat, or that part of a Moudirieh or Gouvernorat, which elects a deputy, constitutes an electoral district. A law shall determine the electoral districts in assuring as much as possible the equality of the districts in the Moudirieh and Gouvernorats having the right to more than one deputy. However, the law must consider the county seat of a Moudirieh which contains less than 60,000 inhabitants but not less than 30,000, as forming a distinct electoral district; in this case the other parts of the Moudirieh shall be considered as a distinct Moudirieh, so far as it concerns the number of deputies to be elected or the determination of the electoral limits.

Art. 85—To be a deputy, it is necessary, in addition to the conditions provided by the Electoral Law, to be at least thirty years of age, calculated by the Gregorian Calendar.

Art. 86—The duration of the term of office of a deputy is five years.

Art. 87—At the beginning of each ordinary session, the Chamber elects from among its members a President and two Vice Presidents. The President and Vice Presidents of the Chamber are eligible for reelection.

Art. 88—If the Chamber of Deputies is dissolved in the course of discussing a question, the new Chamber cannot be dissolved before settling the same question.

Art. 89—The act of dissolving the Chamber of Deputies must contain a call for a meeting of the elector-delegates for new elections to take place after a recess not exceeding two months, as well as a meeting of the new Chamber within ten days following the elections.

SECTION 3. ARRANGEMENTS BETWEEN THE TWO CHAMBERS.

Art. 90—Parliament has its seat in Cairo. However, in case of necessity, the seat may be fixed elsewhere by law. Every meeting outside of these locations used by Parliament is null and void.

Art. 91—The member of Parliament represents the whole nation. No orders can be given to him by the electors or by the power which seats him.

Art. 92—No one can be a senator and a deputy at the same time. Other cases of difference in functions shall be determined by the Electoral Law.

Art. 93—Princes and nobles of the Royal Dynasty can be named senators; but they are not eligible to either of the Chambers.

Art. 94—Having been admitted to the exercise of their duties the senators and deputies in their committee rooms for discussion and in public meetings take an oath to be faithful to the country and to the King, to obey the constitution and the laws of the country and to discharge their duties conscientiously.

Art. 95—Each of the two Chambers alone is competent to judge the validity of the commissions of its own members. A Commission

can be nullified only by a majority of two-thirds of the votes. A law may confer the exercise of power to another authority.

Art. 96—Parliament is called together every year by the King in ordinary session before the third Saturday of November. In default of being summoned, it meets automatically at this date. The ordinary session lasts for six months at least. The King pronounces the close of the session.

Art. 97—The sessions are the same for both Chambers. Every meeting of the Chambers or of one of them beyond the legal time of the session is illegal and its decisions are void.

Art. 98—The meetings of the Chambers are public. However, each Chamber forms a secret committee on the demand of the Government or of ten members. It decides then if the discussions should or should not be resumed in open meeting.

Art. 99—Neither of the two Chambers can take resolutions unless a majority of its members are present.

Art. 100—Outside of cases where a special majority is required, resolutions are passed by an absolute majority of the votes. In case of division of the votes, the proposition under deliberation is rejected.

Art. 101—Votes are given verbally, either by sitting or standing. The vote on laws collectively is always by roll call and verbally in the Chamber of Deputies on the question of confidence. The ministers always have the right, in the Chamber of Deputies, to demand an adjournment for eight days after every vote of non-confidence.

Art. 102—Every bill, having been brought under deliberation, must be referred to a committee of the Chamber for examination and report.

Art. 103—Every bill presented by one or several members must be referred to a committee charged to examine it and to decide whether it shall be considered by the Chamber. In case it is brought before the Chamber, they shall proceed as indicated in the preceding article.

Art. 104—A bill cannot be adopted by one or other Chamber until after it has been voted upon article by article. The Chambers have the right to amend and divide the articles and the proposed amendments.

Art. 105—Every bill voted by one of the two Chambers shall be conveyed by its President to the President of the other Chamber.

Art. 106—Any bill, of parliamentary origin, which has been rejected by Parliament, cannot be brought up again in the same session.

Art. 107—Every member of Parliament has the right to address to the ministers question or enquiries under conditions which shall be determined by the separate regulations of each Chamber. In every case the discussion of the enquiries shall not take place for at least eight days after their presentation, except in cases of urgency and with the consent of the minister addressed.

Art. 108—Each Chamber has the right to demand investigation upon the settlement of questions returned to its department.

Art. 109—Members of Parliament shall not be embarrassed because of discussions and votes issued by them in the Chambers.

Art. 110—No member of either Chamber shall be prosecuted or arrested, during the continuance of the session, for an offense,

except with the authorization of the Chamber of which he is a member, unless he is caught in the act.

Art. 111—Members of Parliament other than those who exercise public functions consistent with the parliamentary commission, cannot during their term of office, accept any title or decoration unless it be a military title or decoration.

Art. 112—A member of Parliament can be deprived of his commission only by means of a decision taken by the Chamber to which he belongs. Outside of cases of incompatibility and of forfeiture provided for by the present constitution or by the Electoral Law, the decision can be taken only by a majority of two-thirds of the members composing the Chamber.

Art. 113—In case of vacancy of a seat of either Chamber, through death, resignation, or otherwise, after a delay of two months it shall be filled during the intermission of Parliament as is necessary by a vote of election or of nomination. This delay shall count from the date of the notification which shall be given for the said vacancy by the Chamber to the Government. The term of the new member shall continue until the expiration of the term of the one whom he has replaced.

Art. 114—General elections for the re-election of the Chamber of Deputies take place during the sixty days which precede the expiration of its term. In a case where the elections have not taken place within the said time, the term of the old Chamber is prolonged until the said elections.

Art. 115—The renewing of half of the Senate, voted either by election or nomination, should take place in the sixty days which precede the expiration of the term of the retiring senators. In cases where the election cannot take place in the said space of time, the term of the retiring senators is prolonged until the election or nomination of new senators.

Art. 116—It is prohibited to address petitions to the Chambers personally. Each Chamber has the right to return to its ministers petitions so addressed. Ministers are obliged to give explanations on the subject of these petitions each time the Chamber requires it.

Art. 117—Each of the two Chambers alone has the right to maintain order in its midst through the medium of its President. No armed force can penetrate into either Chamber or be posted near its doors except on demand of its President.

Art. 118—Members of Parliament receive an annual emolument which shall be determined by law.

Art. 119—Each Chamber makes its internal regulations; it decides the manner in which it exercises its powers.

SECTION 4. SPECIAL DISPOSITIONS OF PARLIAMENT WHILE IN SESSION.

Art. 120—Outside their regular sessions, the Chambers also meet in Congress on being convoked by the King.

Art. 121—Every time the two Chambers meet in Congress, the President of the Senate presides.

Art. 122—Congress cannot lawfully make resolutions without the consent of an absolute majority of the members of each of the two Chambers. In the vote on these resolutions, Congress shall conform to the regulations of Articles 100 and 101.

Art. 123—The session of the two Chambers

in Congress, during ordinary or extraordinary parliaments does not hinder the continuation, by each of the two Chambers, of its constitutional functions.

Chapter IV.—Judiciary Powers.

Art. 124—Judges are independent; they do not depend, in the administration of justice, upon any other authority than that of the law. No power of the State can interfere in the proceedings.

Art. 125—The law organizes the different courts and determines their powers.

Art. 126—Judges are nominated by the method and according to conditions determined by law.

Art. 127—The law fixes the limits and conditions of the tenure of judges.

Art. 128—The nomination and recall of officers of the Public Ministry of the courts and tribunals take place according to conditions determined by law.

Art. 129—The sittings of the courts are public, unless closed doors are in the interest of public order and morality.

Art. 130—Every person accused of crime must be provided with counsel.

Art. 131—A special law regulates the organization and personnel of the Military Tribunals, as well as the conditions required of those who administer justice.

Chapter V.—Provincial and Municipal Councils.

Art. 132—Provinces, cities and villages appoint responsible persons to public offices under conditions determined by law for the exercise of their duties. They are represented by Provincial Councils and by different Municipal Councils. Their limitations are fixed by law.

Art. 133—The organization and the powers of the Provincial Councils and of the different Municipal Councils, as well as their relations with other bodies of the State, are determined by law. These laws should include the following rules:

- (1) The choice of members of these Councils through election, with such exceptions as the law may establish for recruiting certain members by nomination;
- (2) The power of these Councils in all that relates to provincial or municipal affairs, without fear of public opinion of their verdicts in cases that follow the procedure laid down by that law;
- (3) The publicity of budgets and accounts;
- (4) The publicity of meetings within the limits established by law;
- (5) The intervention of the Legislative Power or the Executive Power to prevent these Councils from overstepping their power or from injuring the general good, and to annul every act of that nature taken by these Councils.

TOPIC IV.—FINANCES.

Art. 134—No tax can be established, changed, or abolished except by right of law. Any other impost, tax or duty can be levied on the inhabitants only within the limits set by law.

Art. 135—None can be exempt from paying taxes outside of those cases provided by the law.

Art. 136—No pension or indemnity, no aid or gratuity can be given by the public treasury except within the limits of the law.

Art. 137—No public loan, nor any liability can burden the treasury for one or several budget periods, nor can any such be contracted without the consent of Parliament. Any concession having for its object the exploitation of the natural resources of the country or a public service, or any monopoly, can be granted only by virtue of the law and for a limited period. The preliminary approval of Parliament is necessary for all construction or abandonment of railroad lines, public roads, canals, drains, and other irrigation works concerning more than one province, as well as all donations of State lands.

Art. 138—The general budget of State receipts and expenses must be submitted to Parliament for examination and approval, three months at least before the beginning of the financial year. The financial year is fixed by law. The budget is voted topic by topic.

Art. 139—The budget is first discussed and voted on by the Chamber of Deputies.

Art. 140—The parliamentary session cannot be closed before voting on the budget.

Art. 141—The portion of the budget referring to the public debt shall not be modified in any way prejudicial to the pledges taken by Egypt in this respect. The same condition prevails with all expenses charged to the budget in fulfilling international pledges.

Art. 142—If the budget law has not been published before the beginning of the financial year, the budget of the preceding year shall apply until the publication of the new budget. However, if portions of the budget have already been approved by the Chambers, they can be put into force temporarily.

Art. 143—All expenses not provided for by the budget or exceeding the provisions of the budget, as well as all transfer of funds from one portion of the budget to another, must be approved by Parliament.

Art. 144—The expense account of the Department of Finance for the past budget period shall be presented for the approval of Parliament at the beginning of each ordinary session.

Art. 145—The preceding dispositions relative to the budget and to the State expense account are applicable to the general budget of receipts and expenditures for the Ministry of the *Wakfs* (Church Finances) and to its general annual account.

TOPIC V.—ARMED FORCES.

Art. 146—The law fixes the quota of the army.

Art. 147—The method of recruiting for the army, its organization as well as the rights and duties of the soldiers, are determined by the law.

Art. 148—The organization and the powers of the different police forces are determined by law.

TOPIC VI.—GENERAL DISPOSITIONS.

Art. 149—Islam is the State religion; Arabic is the official language.

Art. 150—Cairo is the capital of the Kingdom of Egypt.

Art. 151—The extradition of political refugees is forbidden, without prejudice to international agreements for the protection of the social order.

Art. 152—Amnesty can be granted only by law.

Art. 153—The law regulates the manner in which the King, in conformance with the principles of the present constitution, exercises his powers in all that concerns religious establishments, the appointment of religious heads, the Wakfs entrusted to the management of the Ministry of Wakfs, and in general matters of interest pertaining to the forms of worship allowed in the country. In the absence of a legislative disposition, these powers continue to be exercised after the rules and customs actually in force. The privileges personally invested in the King, in his capacity as Head of the Royal Family, remain settled by law No. 25, of 1922, bearing directly on the status of the Royal Family.

Art. 154—The application of the present constitution must in no way affect the obligations of Egypt to foreign States, nor the rights that strangers shall have acquired in Egypt by virtue of laws, treaties, or acknowledged customs.

Art. 155—No disposition of the present constitution can, on any pretext whatever, be suspended, except temporarily, in times of war or a state of siege and in a manner determined by the law. In any case the assembling of Parliament, under conditions established by the present constitution, cannot be estopped.

Art. 156—The King, as well as each of the two Chambers, may propose the revision of the present constitution, either by amendment or annulment of one or more of its measures or by the addition of new measures. However, measures relative to representation in Parliament to the order of succession to the throne, and to the principles of liberty and equality guaranteed by the present constitution, cannot be made subject to revision.

Art. 157—To revise the constitution, each of the Chambers, through a resolution taken by an absolute majority of all the members, declares the necessity for revision and specifies the object. With the King's sanction the two Chambers in common accord with the King decree a time for a deliberation, of the objective points of the revision. Each of the two Chambers can validly deliberate only if two-thirds of its members are present and the resolution must be taken by a majority of two-thirds of the voters.

Art. 158—Any revision of the constitution on the subject of the rights of Royalty can not take place during the regency.

Art. 159—The present constitution is applicable to the Kingdom of Egypt. This provision is not prejudicial to any rights that Egypt has in the Sudan.

TOPIC VII.—FINAL AND TEMPORARY PROVISIONS.

Art. 160—The title which the King of Egypt shall bear will be established when the authorized delegations have fixed the definite status of the Sudan.

Art. 161—The civil list of His Majesty the King is fixed at L. E. 150,000; that of the Royal Family at L. E. 111,512. These allowances remain the same during his reign, but they can be increased by decision of Parliament.

Art. 162—The designation of senators leaving at the end of the first five years shall take place by drawing of lots. The commissions of

these senators and of deputies elected for the first legislature shall expire October 31, 1928.

Art. 163—The present constitution shall be in force from the meeting of Parliament.

Art. 164—From the promulgation of the present constitution and until the meeting of Parliament, the administration of the country and its legislation shall be conducted in accordance with the rules and forms adopted up to the present time in compliance, however, with the general tenor of the fundamental principles of the constitution.

Art. 165—The budget for the financial year 1923-4 shall be submitted to Parliament before the first meeting. The budget law for the said year shall be effective only for the period of enforcement remaining since the date of the promulgation of this law. The official account of the Department of Finance for the year 1922-3, which has been approved by the Council of Ministers, shall be as valid as though it had been approved by Parliament.

Art. 166—Until it be otherwise disposed by law, in case of persistent disagreement between the two Chambers over acceptance of the budget, this disagreement shall be settled by a discussion of the two Chambers assembled in Congress, on an absolute majority of the votes.

Art. 167—The provisions of laws, decrees, orders, regulations, arrests, decisions and all other acts or measures taken or enacted in the past and in conformity with present rules and forms shall remain in force, on condition that their execution shall be in harmony with the principles of liberty and equality guaranteed by the present constitution, the whole without prejudice to the right of the legislative body to annul or amend them within the limits of its power, but without injuring the principles of non-retroactivity of laws sanctioned in Article 27.

Art. 168—The provisions of Law No. 28 of 1922, regulating the liquidation of the property of the ex-Khedive Abbas Kilmî Pasha and bearing restriction on his rights are considered as having a constitutional character; they cannot be made the object of a proposal for revision.

Art. 169—Laws which should be presented to the Legislative Assembly by the terms of Article 2 of the Decree of October 18, 1914, shall be, during the course of the first session of Parliament, placed on record before both Chambers. In default of said deposition, they shall cease to be in force for the future.

Art. 170—Our ministers are charged, each in his department, with the execution of the present constitution.

Recorded at the Abdine Palace, April 19, 1923.
(Signed) FUAD.

For the King:

President of the Council of Ministers, Minister of the Interior—YEHIA IBRAHIM.

Minister of Foreign Affairs—AHMED HECHMAT.

Minister of Finances—MOUHEB.

Minister of Communications—AHMED ZIWER.

Minister of Justice—AHMED ZULFICAR.

Minister of Public Instruction — MOHAMED

TEWFIK RIFAAT.

Minister of the Wakfs (Church Finances)

—AHMED ALY.

Minister of War and the Navy—MAHMOUD

AZMY.

Minister of Public Works—HAFEZ HASSAN.

Minister of Agriculture—FAWZY EL MOUTEL.

San Francisco's Successful Labor Plan

By WARREN RYDER

THE city-wide building trades strike of the Summer of 1921 is now a matter of history. It was caused by the refusal of the building trades unions to abide by a written agreement entered into by their leaders and resulted in completely tying up the building construction program of the city. It was the culmination of the industrial disorder and the controversies which had kept the whole community in a state of turmoil and had unquestionably caused great loss of business to San Francisco over a period of twenty-five years.

For a quarter of a century San Francisco had been pointed to by the American Federation of Labor as the "prize" closed-shop city of America. The extent to which the unions had gone in imposing upon employers regulations arbitrarily limiting production and curtailing efficiency is almost unbelievable. It was not, however, until the building trades strike of 1921 that the business community as a whole realized the enormous toll being exacted of it through the almost complete domination of union labor. This strike served to bring to the realization of the whole community the need of some method of abrogating the complete union control over the industry of the community and of setting up machinery to control industrial relations in the interest of the whole public.

The first thing done was the adoption of the American Plan in the building industry. This occurred in July, 1921, and The Builders Exchange of San Francisco and the Industrial Relations Department of the San Francisco Chamber of Commerce immediately took up the task of manning the jobs which had been left idle as the result of the strike. Such union men as were willing to work under American Plan conditions were permitted to return to work and hundreds of competent mechanics willing to work under these conditions were

brought in from other communities. The strike thus resulted in the complete destruction of closed-shop control over the building industry of San Francisco; and it is safe to say that from 75 per cent. to 85 per cent. of the building trades workers who had gone on strike finally returned to work in San Francisco at their old jobs on the American Plan basis.

With building construction again under way and the American Plan firmly established in the building industry, it was the unanimous opinion of the business and industrial leaders that to prevent a recurrence of such a thing as the strike of 1921 and to provide against such industrial disturbances as had kept the community in a state of turmoil for many years, it was vitally necessary to create some sort of organized machinery to enforce the American Plan basis of employment and to control industrial relations in the interest of the whole public. Consequently, in the Fall of 1921, there was organized the Industrial Association of San Francisco, with the following set of principles:

First—The right of any person to seek, secure and retain work for which he is fitted, and the right of the employer to engage or dismiss employes, should not be abridged or denied because of membership or lack of membership in any organization or association of any kind.

Second—Efficiency in industry: This should be created and maintained to enable our enterprises to cope with those of other places. Superior skill and industry in work should be permitted to earn an adequate reward. The establishment of this principle, however, is not to be used to reduce the earnings of a less able man below a fair return for the work done. No artificial limit or restriction should be placed upon the normal production of any man or upon the use of any appliance, invention or other means to increase output, always having due regard for the health, safety and well-being of the individual.

Third—The right of management is inseparable from responsibility for industrial results. Therefore the right of the employer to engage or dismiss men individually on merit must not be cir-

cumscripted; the right on all occasions, however, to be exercised only upon broad principles of justice, and with a recognition of the obligation on the part of management to cooperate with the employe in securing so far as possible continuous employment.

Fourth—No understanding should be reached between employers and employes that ignores the public interest, and no agreement should be tolerated that is illegal or contrary to sound public policy, whether made between employers themselves or with their employes or others.

Briefly then, the Industrial Association is a semi-public organization created to protect the public against the evil consequences of uncontrolled or class controlled industrial relations in any of the industries or business of San Francisco. It is not affiliated with or controlled by any other organization. It is an entirely separate institution with its own board of directors and advisory board and with its own membership and funds. It is financed by membership dues. It functions through the following departments: Administrative, legal, industrial relations, inspection and employment, trade school and research, membership and publicity. These departments are directed by individuals who are in turn directed by and responsible to the board of directors and various committees.

One of the most important of these is the employment department. Through this department, the services of which are entirely free, more than 35,000 men, both union and non-union, have been placed during the past four and one-half years. This department maintains inspection and grievance bureaus. The function of the inspection bureau is to see that there is no discrimination against union or non-union men, that the eight-hour day and prescribed wage scale are being observed and that the various safety and sanitary rules and regulations are being enforced. The function of the grievance bureau is to hear and adjust complaints arising from employes or employers. Through the grievance bureau thousands of dollars in back pay for overtime have been collected for men working in San Francisco. The trade school and research department devotes its attention to the matter of apprentice training and to preparation of author-

itative data bearing on various questions pertaining to industrial relations, employment, wage scales, production costs and general matters of that sort.

AIMS OF INDUSTRIAL ASSOCIATION

The aims of the Industrial Association may be summarized as follows:

It is not a so-called "union busting" organization. It did not come into existence to destroy, but to construct. It has not attempted, nor will it attempt, to drive out the labor unions. It will not support any program which has for its direct or indirect result any cutting of wages, lengthening of hours or lessening of the rules and regulations which provide for creation of proper working conditions for the workers. It recognizes that trade unions have served and may continue to serve useful purposes and that any individual has the right to belong to whatever kind of lawful organization he may choose. In short, it aims to do everything possible and proper to insure the worker a fair wage, proper hours and decent working conditions, with protection against discrimination of any sort on account of union or non-union affiliations and that he may be as far as possible continuously employed.

On the other hand, it aims to protect the employer against unjust and improper interference with his business, against unjust demands upon him from his employes and against the imposition of rules and regulations or working practices which will curtail the efficiency and limit the output of his enterprise. It aims to protect the public so far as possible against the evil consequences of unregulated industrial relations. It seeks to prevent strikes and lock-outs wherever and whenever possible in every proper way. Many seemingly trifling disagreements if allowed to go their way frequently result in serious industrial disturbances. The association has been able in many instances to settle small but dangerous controversies which otherwise would unquestionably have resulted in serious strikes.

While the association endeavors in every possible way to safeguard the rights of both the employes and employers, it con-

ceives it to be its duty to look to the public interest first. It will, therefore, go as far to check improper practices on the part of employers as to prevent the imposition of improper rules or regulations upon the employers by the employees. It believes that the public is vitally interested in every matter affecting employment or industrial relations and that the public interests should be held paramount at all times.

In the four and one-half years of its existence, the Industrial Association has been able to achieve what we believe is a splendid record of constructive accomplishment for the City of San Francisco. I have already mentioned its settling of the city-wide building trades strike of 1921. It is important to remember that at that time no attempt was made to destroy the unions. All union men formerly employed in the building trades in San Francisco who were willing to work under American Plan conditions were permitted to return to work. Thus there was no opening of old sores, the slate was wiped clean, and every effort was made to convince the workers of the community that the Industrial Association would insure them fair treatment in every respect. This attitude on the part of the Industrial Association has unquestionably played no small part in the record of comparative industrial peace that we have enjoyed in this community during the past four and one-half years. The workers, despite what may have been stated by certain union leaders, have found the Industrial Association taking every possible means to protect them and to provide them with reasonably continuous employment at fair wages and under proper working conditions.

WAGE SCALE BOARD ESTABLISHED

At the time it was called upon to settle the strike of 1921 the association made certain pledges to the public. Among these was one to the effect that the association would as soon as possible after the strike had terminated set up impartial machinery for establishing wages in building trades and for enforcing the wages thus established. This pledge along with all the others was carried out. The asso-

ciation created the impartial wage board, which, after a long series of public hearings, during which every party and interest was heard at length, fixed a wage scale for the calendar year 1922. Despite the protest of some union officials, this wage scale proved so satisfactory to all concerned that the same wage board was prevailed upon to sit again the following year. Again extensive public hearings were held and again all parties and interests were heard at length on matters affecting the building trades wages in San Francisco. The wage scale fixed by this board in the Fall of 1922 and promulgated to obtain throughout the calendar year 1923 proved so fair to all concerned that it has since been maintained almost unchanged. There have been a few increases in this scale, but on the whole it has not been changed since the beginning of 1923.

Moreover, the association has at all times enforced this wage scale to the letter, even going so far upon one or two occasions as to notify recalcitrant employers that it would sanction a strike among their men unless they complied with the wage scale. Here and there, of course, there has been some complaint, and various bodies of men through their representatives have asked from time to time for wage adjustments, and in these cases it has been possible to make adjustments without disturbing the whole wage scale. It is safe to say, then, that the Industrial Association has been able to provide proper machinery both for the fixing and enforcing of wages in the building trades.

Possibly the next most important accomplishment of the association has been its trade school program. It has during the past three and one-half years established and maintained free trade schools for the training of plasterers, plumbers, painters, paperhangers, bricklayers, tailors, molders, tile setters and house-smiths. Some 1,100 apprentices have graduated from these schools and approximately 750 are still taking training. Two of these schools, the plasterers and the plumbers, represented the first successful attempt to apply intensive training methods to the apprentice problem. The very contractors who had at first discounted the

idea of such training were among the first to ask for apprentices from these schools. Substantially the same methods embodied in these first two schools were employed in operating the other schools; and schools of this kind, all patterned closely after those operated by the Industrial Association, have been established and are now being operated in a dozen or more large cities throughout the country. It can be said, therefore, that the activities of the Industrial Association have unquestionably given a new impetus to the whole apprentice training movement throughout the country.

In addition to having effected the American Plan in the building industry, this basis of employment, through the activities of the Industrial Association, has been adopted in whole or in part by the following other industries: Lithographic, shoe, garment, cigar, taxicab, metal, warehouse, glass, lumber, hotel, restaurant and candy. This means that union and non-union men are working side by side on the same jobs.

The Industrial Association has also effected a plan of employe group insurance which made it possible to offer to building trades workers group insurance at rates from 60 to 80 per cent. less than ordinary insurance rates. Under this plan thousands of workers have secured policies covering death and total disability.

In order to supplement the safety inspection by the State and municipality the Industrial Association has established and is maintaining a safety service. This service, which is directly in charge of a prominent safety engineer, has recently been extended to the metal industry, and excellent work in cutting down the hazards of industry has already been accomplished.

One of the most important of the association's accomplishments has been in the foundry field. In 1922 a small group of foundries in the San Francisco Bay District, unable longer to put up with union labor domination, decided to adopt the American Plan basis of employment. The Industrial Association went to their aid. There are now twenty foundries operating in the San Francisco Bay District on the American Plan basis. These foundries

employ over 350 workers and are now doing at least 60 per cent. of the foundry work in this community. The association about two years ago secured the services of a prominent industrial engineer. Working with the management of the foundries, he was able to introduce methods of efficiency, labor saving, improved management and equipment which are rapidly making these foundries superior to any others on the Pacific Coast and with standards equal to those of the very best foundries in the United States. Within the past month, one of the American Plan foundries has executed an order for one of the largest industrial concerns of California necessitating the manufacture of hundreds of thousands of pounds of casting which, after rigid inspection, met the highest tests.

CRISIS OF 1926 AIDS NEW PLAN

Since the middle of the Winter of 1922-23 until April 1, 1926, there had not been a single strike of serious consequences, or involving more than a mere handful of men, in the whole building industry; and the value of building permits had increased from approximately \$25,000,000 in 1921 to \$58,800,000 in 1925. Strikes of all sorts had diminished from twenty-two, with a loss of about \$22,500,000, in 1921, to four or five, involving a loss of only approximately \$75,000, in 1925.

Then came March 23, 1926. At that time nearly every carpenter in San Francisco who wanted to work was working. The great majority of carpenters working in San Francisco were union men. On March 23, 1926, William L. Hutcheson, General President of the United Brotherhood of Carpenters and Joiners of America, issued an order that non-union carpenters would not be permitted to work on jobs where union carpenters were employed after April 1, 1926. The community of San Francisco could scarcely believe its ears. There was no question of wages or hours or working conditions. There had been no previous demands of any sort. The thing was incredible.

On April 1, however, the order went into effect. Something like a thousand

union carpenters walked off the job in the San Francisco Bay community, refusing to work with non-union carpenters. For a time this action naturally disrupted the situation. It was necessary to secure men who would work under the American Plan. To do this required some little time, and meanwhile building of all sorts slackened considerably. Owners and contractors desired to "see which way the cat would jump" before doing anything. But they did not have to wait long. The business and industrial leaders of the community, a thousand or more strong, met and in no uncertain terms pledged anew their allegiance to the American Plan as a just and desirable basis of employment, and to the Industrial Association as the effective agency. With this undivided community support to sustain it, the Industrial Association proceeded to man the jobs the union carpenters had left; and further proceeded, by means of the so-called "permit system" (approved and sustained by the unanimous decision of the U. S. Supreme Court in March, 1925), to enforce the American Plan on jobs which formerly had been running "straight union." There was no attempt made to drive out union workers; simply the enforcement of the American Plan that on every job at least some of the workers should be non-union.

The union carpenters, or their agents, injected violence into the strike almost immediately; and since April 1 there have been something like 272 non-union carpenters (some of them old men) attacked and beaten. Operating in high-powered cars, gangs of thugs have roved the town, and wherever they have found an unprotected non-union carpenter, have set on and beaten him severely. For a time these assaults were as numerous as ten or fifteen a day, and the police seemed powerless to check them. Public sentiment, however, soon began to manifest itself, and they greatly diminished. Needless to say, the non-union carpenters who have been assaulted have the sympathy of the community; and everything is being done, so far as the Industrial Association is concerned, to protect them from further harm.

The effect of these assaults has been to solidify the American Plan in San Francisco; to give it an appeal to the average citizen that it has never had before. For his attitude of hostility toward those guilty of such dastardly tactics as "slugging" innocent and defenseless men, is almost immediately translated into sympathy with and support of the Industrial Association and the American Plan. There is scarcely anything else that could have happened that would have so thoroughly aroused the community to the desirability of supporting the American Plan and the Industrial Association. Funds necessary to carry on the work of enforcing the American Plan basis of employment have been obtained more easily than ever before; and large groups of the citizenry, which were more or less indifferent in the past, have come forward and enlisted their energies behind the Industrial Association to enforce the American Plan.

CARPENTERS' STRIKE RESULTS

For a time, of course, building slowed up considerably. But as the realization became general that there would be no sympathetic strike by the other crafts, and that the American Plan was firmly entrenched and would prevail, contractors and builders began proceeding normally with their construction plans. As matters now stand, no work is anywhere being delayed, and building permits are in excess of those issued for the first nine months of last year. Of the \$30,000,000 to \$40,000,000 worth of construction now under way, more than \$30,000,000 is proceeding under the American Plan, including \$12,000,000 worth of new school buildings, work on which—prior to the carpenter's strike—had always been carried on "straight union." Organized violence is still occurring, but it is sporadic rather than regular, and was expected probably to cease altogether as soon as the Fall elections were over. The net result of this strike then, is that the union carpenters have gained absolutely nothing, but that the American Plan is so strongly entrenched in San Francisco that no sane person can predict that it will be overthrown in the next twenty-five years.

The Nobel Prize Winners of 1926

By WATSON DAVIS

Science Editor, *Current History*

THE quarter century anniversary of the first award of the Nobel prizes, having taken place in 1926, both the 1926 awards and those that were withheld in 1925 in the fields of physics and chemistry were announced.

Professor Richard Zsigmondy of the University of Göttingen, Germany, who received the 1925 chemistry award, did important work in the development of the ultra-microscope which he utilized in determining the size of the minute suspended particles of colloidal gold.

The work for which Dr. James Franck, now at the University of Göttingen, and Dr. Gustav Hertz, of the University of Halle, Germany, divided the 1925 physics prize between them, was performed while they were associated at the University of Berlin. This was the first proof of the validity of the quantum theory, which was proposed originally by Max Planck and which has caused a revolution in physical science in recent years, by proposing that light and other forms of radiation are not continuous wave motions, as was formerly thought, but consist of separate bundles, or "quanta," of energy. Franck and Hertz presented their now historic paper before the Berlin Physical Society in 1912. They found that if an otherwise evacuated tube contained a small amount of the vapor of mercury, and that if two pieces of metal or electrodes were sealed within so that the atoms of the vapor could be bombarded by rapidly moving electrons, or particles of electricity, a line corresponding to a certain wave-length of light appeared when the glow of the tube was analyzed with the spectroscope. But this only occurred when a definite voltage was applied, which meant that unless the electrons were moving with a certain minimum speed, the particular wave-length of light was not given off from the glowing mercury vapor.

Dr. The Svedberg, recipient of the 1926 chemistry prize, is an outstanding figure in the realm of colloid chemistry. He was recently invited to come to the United States to attend a symposium on colloid chemistry at the University of Wisconsin, and remained long enough to give a course of lectures to students at that institution. He has since returned to the University of Upsala, Sweden.

Professor Jean Baptiste Perrin of the Sorbonne, Paris, and winner of the 1926 physics prize, is well known to scientists for work done on the Brownian movement, the name given to the rapid oscillatory motion of minute particles suspended in liquids. Professor Perrin developed ingenious methods for measuring this movement which showed that the tiny particles behave in the same way scientists have assumed that molecules would act in accordance with the kinetic theory of gases. He has been more recently concerned in studies to show the effect of light on chemical reactions.

INTELLIGENCE TESTS OF GENIUSES

Scientists throughout the United States are becoming increasingly interested in trying to determine how best to educate and apply the ever rising generation to the work of the world. One of the centres of research for this purpose has been Stanford University, where an intelligence test has been given to 301 of the geniuses of history. John Milton, Michelangelo, Napoleon, Samuel Johnson, and 297 other famous men and women born between the years 1450 and 1850, were in this way subjected to investigation by Dr. Catharine M. Cox, assisted by Dr. Lewis M. Terman, Lela Gillan and Ruth Livesay. Historical records showing childhood traits and mental talents of the geniuses were used as a basis for giving out the intelligence ratings. John Stuart Mill, the English phi-

philosopher and economist, was awarded the highest rank of all the 301 famous children. His intelligence quotient (IQ) was placed at 190, which is 90 points higher than average mentality. At six years of age Mill wrote a history of Rome, and at eight he gave Latin lessons and was held responsible for the errors of his pupil. Three children were given intelligence ratings of 185. These were Goethe, the German poet; Grotius, the founder of modern international law, and Leibnitz, the German mathematician and philosopher. Napoleon and Beethoven received ratings of 135 on their childhood mentality. Byron was given 150; Michaelangelo, 145; Lincoln, 125; Mme. de Stael, 155; John Q. Adams, 165; Coleridge, 175; Washington, 125; Raphael, 110. There was a tendency for characters whose childhood has been reported more fully by historians to receive higher ratings, because full accounts brought out more evidences of precocity. In many cases Dr. Cox explained, the ratings were far too low. The investigation was conducted to shed light on the early mental traits of geniuses. Dr. Cox found that generally eminent men and women showed signs of superior mentality in early childhood, and that superior adult achievement could be expected wherever in childhood the intelligence quotient was above 150. But one could not be warranted in expecting a world genius even if the 200 IQ were reached; for there were other factors involved in achieving greatness besides an essential degree of intellectual capacity.

PHYSIOGNOMY AND CHARACTER

That a person can not always be judged by his looks was shown recently in another psychological investigation. Dr. Stuart A. Rice, psychologist at the University of Pennsylvania, made an investigation in which 258 students at Dartmouth College acted as judges of personality. This research throws some light upon why Senators get mistaken for Bolsheviks and financiers for bootleggers when an individual attempts to judge their places in life by looking at photographs. The reason that a human being's face is not an accurate index to character and intelligence by means of observation is traced to the fact

that each observer carries about in his mind type pictures of what a king, a criminal or scholar should look like. These mental pictures, or stereotypes, Dr. Rice explains, are made up to a considerable degree of superficial earmarks such as the cut of the hair, the mode of wearing collar and tie, and other details of appearance. In the test the college students were shown pictures of nine individuals taken from a newspaper of two years ago. They were told that one of the nine was a Senator, one a labor leader, two manufacturers, and so on, and each picture was to be fitted with the most suitable title. Dr. Rice reports: "In the case of Krassin, the Soviet Envoy [who has since died], a wing collar, Van Dyke beard and mustache contribute to an appearance that may be described as distinguished, and which no doubt led to fifty-nine identifications as the United States Senator, in comparison with nine as a Bolshevik and none as a labor leader. Senator Pepper received as many or more identifications as labor leader, Bolshevik, financier, editor-politician, and manufacturer, than he received in his own Senatorial capacity. The largest number of correct identifications was made in the case of the alleged bootlegger. This individual alone was pictured in outdoor costume. He is shown in a heavy overcoat with upturned collar, a cap, tortoiseshell glasses and cigar gripped firmly between his lips." Dr. Rice concludes that every one has preconceived notions of character which are the inevitable result of his experience. In consequence, he believes that photographs are not a sufficient basis for judging personality, as in selecting employees.

CHILDREN'S DRAWING TESTS

A rapid method of rating intelligence by means of the crude, angular, moon-faced "men" that all children like to draw has been evolved by Dr. Florence L. Goodenough, of the Institute of Child Welfare of the University of Minnesota. Dr. Goodenough collected 4,000 imaginary drawings of men made by children from 4 to 11 years old. The men ranged from cubistic scrawls by the youngest and least intelligent children up to portraits of con-

siderable realism with such details as five fingers, buttoned shoes, eyelashes and mustache. The drawings were rated according to the proportions of the human figure and the amount of detail shown. The girls tended to range slightly higher in intelligence than the boys. Dr. Goodenough suggests as a possible explanation that a child who perseveres in the face of difficulties and who gives careful attention to details is likely to make a higher score on the drawing test than another child who has equal ability but lacks these particular characteristics. A slight superiority of girls over boys in traits such as these may account both for their more rapid progress in school and their higher average on the drawing test.

BOHR'S QUANTUM THEORY

Experiments recently completed by Dr. J. B. Taylor and Dr. T. E. Phipps in the department of physical chemistry at the University of Illinois have produced results which throw a new angle on the quantum theory advanced by Dr. Neils Bohr of Copenhagen, Nobel prize winner in physics, and that proposed by Dr. Max Born and Dr. W. Heisenberg of Göttingen. Exponents of the German school have developed a theory that is based on a non-magnetic atom, but the American scientists have found that the hydrogen atom is magnetic and have made a direct experimental determination of the degree of magnetism it possesses. They found that it was equal within the limits of experimental error to one Bohr magneton, or unit of magnetic moment based on the Bohr quantum theory. The atoms of the alkali elements, such as sodium and potassium, are known to behave as tiny magnets, and since hydrogen is the simplest of all the chemical elements, knowledge of the degree of magnetism possessed by its atom is of great importance. All the accepted theories of the continental school account for the spectrum of hydrogen accurately, in consequence of which a test of the nature of the hydrogen atom is of great scientific interest.

THE NEXT SOLAR ECLIPSE

An eclipse is always a scientific event. Upon those rare and amazingly brief oc-

casions when the finely adjusted distances between the sun, moon and earth are such that the moon casts a small shadow upon the face of the earth, astronomers attempt to learn more of the sun's secret. A veteran of six solar eclipse expeditions, Dr. S. A. Mitchell, director of the Leander McCormick Observatory of the University of Virginia, will make his seventh eclipse trip next Summer. This expedition will be to Norway, where a total eclipse of the sun will be visible for half a minute early on the morning of June 29, 1927. It will also be visible in England, but there it will happen at about 5:30 A. M. and the chances for clear weather will not be as favorable as in Norway. The duration of totality will be shorter, but for the research in which Dr. Mitchell is particularly interested this is not a serious handicap, for he is confining his attention to photographs of the "flash spectrum." Ordinarily, the spectrum of sunlight, obtained by passing it through a combination of prisms and lenses, is a band of various colors, crossed by a series of dark lines. Just before and just after a total eclipse of the sun, however, the light reaching the observer comes from a thin outer layer of the sun's atmosphere, and then the flash spectrum, consisting of a series of colored bands against a dark background, can be seen. The expedition will be financed by a gift from John Armstrong Chaloner.

THE SPEED OF LIGHT

As the culmination of years of painstaking effort on the part of Professor A. A. Michelson of the University of Chicago, he has announced to the National Academy of Sciences, of which he is President, a final figure for the speed of light. It is 299,796 kilometers per second (186,284 miles per second). Professor Michelson made his first experiments when a young officer on duty at the United States Naval Academy at Annapolis. Within the past three years he has been working at the Mount Wilson Observatory refining the figure for the velocity of light. The most accurately measured base line in the world, about twenty-two miles long, stretching between Mount Wilson and Mount San Antonio, was used. Professor Michelson projected a powerful

light through a narrow slit on to a mirror which was spinning at the rate of about 30,000 revolutions per minute, which in turn projected it on a reflecting apparatus at the far station. The reflector returned the light to the original source. With an accurate knowledge of the rate at which the mirror is revolving and the distance between the two stations, the velocity of light can be calculated.

ANCIENT EGYPTIAN INSCRIPTIONS

Long as Egypt's ancient temples have endured, time, in this locality as in all others, conquers all. Ancient Egyptian buildings along the River Nile are in such condition that the great inscriptions on their walls will be lost forever unless exact reproductions and records are soon made. This fear is expressed by Dr. James H. Breasted, Egyptologist and director of the Oriental Institute of the University of Chicago. Inscriptions on the walls of the Medinet Habu Temple at Luxor are being recorded by field workers of the Institute. Dr. Breasted states that the process now used combines in one record three things: The speed and accuracy of the camera, the skill of the trained and experienced draftsman, and the completeness that is only made possible by the ability of the epigrapher who can read and understand the inscriptions. Making these exact reproductions for scholars to study at their leisure in their libraries is a long task. The photographer makes small negatives of the pictures and symbols, section by section. These go through a series of processes of enlargement and tracing to bring out each detail of the ancient signs. At last, the epigrapher takes the final copy that shows the signs as perfectly as the draftsman can make them and goes out to the temple walls to proofread his manuscript from a ladder or scaffold. To complete and publish the records of this temple will take at least two or three more years. Dr. Breasted hopes that this work of "inscription salvage" may be placed upon a basis sufficiently permanent to permit its continuance to include all the great temples of Egypt, passing from Medinet Habu to the Ramesseum, thence to the Luxor temple, and especially to Karnak, which contains the

greatest volume of inscribed records which have survived from the past in a single building. Besides these temple documents there remain furthermore the enormous body of tomb inscriptions and reliefs. To rescue all of these records would require the work of another entire generation, if not longer.

AMERICAN POTASH DEPOSITS

American independence in fertilizer production seems to have been assured through the discovery of potash deposits, in the southeastern corner of New Mexico, similar to those of the Stassfurt fields in Germany. There is a triumvirate of elements without which the fertility of agricultural fields can not be maintained. These are nitrogen, potash and phosphorus. Of nitrogen, America has the privilege of taking from the air as much as nitrogen fixation plants can turn into fertilizer. With the development of nitrogen fixation by the Haber, Claude and similar processes, this country has become potentially free from the Chilean nitrate monopoly of pre-war days. Of phosphate, the United States has immense stores in the phosphate beds of Florida, South Carolina, Tennessee and Kentucky, and the Western States. But for potash we, with practically all the rest of the world, until now have been dependent upon the rich German deposits of the Stassfurt area. For nearly a decade geologists have realized that the core drills sunk into the crust of the earth in the Panhandle region of Texas have contained evidence that there exist there beds of potash minerals similar in composition to those of Germany. And now the United States Geological Survey has secured from the adjacent region of New Mexico samples of ten beds of potash minerals aggregating nearly thirty feet in thickness, which the core drill struck at depths ranging from 790 feet to 1,760 feet. Most of these consisted of light colored polyhalite, sylvite and other salts, which assayed as high as 18.5 per cent. potash. The beds thick enough for mining average about 12.5 per cent. The average run-of-the-mine minerals of the Stassfurt beds have a potash content of only 8 or 10 per cent. At about

1,430 feet one seventeen-inch bed of a different mineral, langbeinite, was found. This contains about 18 per cent. potash. Langbeinite is merely a mineral curiosity at Stassfurt.

This is not simply a lucky strike. For years the Government's geologists have believed that if paying potash deposits were ever to be found in this country, the most likely place to seek them would be the Panhandle region of Texas and the adjacent corner of New Mexico, and they had actually been hunting for them there since 1915. Many indications of the presence of potash were contained in samples brought up by oil well drills as well as from other sources, and recently Congress appropriated sufficient money to begin a really critical investigation. The present core drilling, however, the first of its kind, which gives a really accurate picture of what is under ground at that point, was put down by the Snowden-McSweeney Company, an oil concern, on their own initiative and at their own expense but in full cooperation with the Geological Survey. It can not be told from a single core drilling how extensive the new beds are. But it is now known definitely that working quantities of rich potash minerals exist at this place, and previous work indicates that potash deposits of some sort exist in many places, distributed over an area about 300 miles long by about 150 miles wide, in Eastern New Mexico and the Texas Panhandle.

The new potash field is well served by railroads. Two lines run clear through it, and three others have branches into it at various points. Galveston is the nearest salt water port, but practicable hauls might also carry the product to points on the Mississippi River. Geological Survey officials believe that for certain types of soil, the minerals as they come from the shaft would need only grinding to make them satisfactory fertilizers, but for long hauls probably concentrating treatments would be advisable, to save bulk and weight. More or less rock salt occurs in between the layers of potash minerals, but this can be picked out easily by even the cheapest of labor. The exact geological age of the deposits has not been determined, but they are believed to belong to the Permian. This was an age of drought that intervened between the Pennsylvanian or coal age and the times of the dinosaurs. The beds were probably formed by a series of advances and retreats of an arm of the sea, which formed great salt water lakes. These dried in the arid climate, just as the Caspian Sea, or on a smaller scale as the saline lakes of the West are drying up today, and as they did so the various chemicals in solution were precipitated. The less soluble ones, like the compounds of lime and potash, came down first, and the easily soluble common sea salt only at the end of each drying-out, so that layers of salt now alternate with layers of potash and other minerals.



CURRENT HISTORY—PART II.

By the Board of Current History Associates

Eight Years' Progress Toward World Peace

By JAMES THAYER GEROULD

Librarian, Princeton University

ON Nov. 11, eight years ago, the Armistice was signed. Many things have happened since then, some wise, no doubt; but as we look back at them now, more seem foolish. It is not strange. War is an intoxication from which the victims are slow to recover. Time must pass before the poisons are eliminated from men's minds and from the body politic.

How far have we gone toward peace? During that mad celebration which followed the announcement of the armistice we were deluded enough to believe that we had achieved it. Nothing could be further from the truth. Cannon had ceased to roar and the trenches were deserted, but the war still went on. The victorious Allies, naturally enough, sought to wrest from the situation every possible advantage; and the treaties imposed by the Peace Conference endeavored, with political, economic and financial weapons, to give the war an indefinite extension.

Only within the last few months has a realization of the disastrous failure of the former policy forced the politicians in Europe, if not those of our own country, to adopt as their own the telling arguments of such Cassandras as Keynes, Caillaux and Nitti.

In fairness, however, we cannot hold those who sat at the Peace Conference wholly responsible. Only in a very limited sense can leaders be said to lead. At no time can they, even with the most advanced methods of publicity, control

public opinion. Influence it they can and do; but they cannot travel very far in advance of it; and, being human, their views must necessarily be affected by it. They are to be blamed because, for the most part, instead of attempting to quell the madness of the moment, they ran with the crowd and shouted with the loudest.

It has become the fashion lately to condemn the Treaty of Versailles and the others that accompanied it; and there are very few, even in France, who still believe that they can be integrally enforced. It may be, however, men being such as they are, that the treaties were as well drawn as the conditions of the time permitted. They formed, at least, a point of departure.

It was obvious that the old Europe was dead. Some sort of a makeshift Europe had to be improvised. Armies must be demobilized, Governments set up. Anarchy was the alternative. Some one had to say to the scores of delegations, representing conflicting interests, which flooded Paris in 1919, that this thing and that are so, that this boundary must be here and that there. It is easy now, in the light of what followed, to point to the blunders and the injustices of the Treaty; but at its worst it gave Europe an opportunity to begin to bind up its wounds and to rebuild its shattered civilization.

It has not been an easy task, and is still far from accomplishment, but progress has been made and is still going on. No doubt some of the jerry-building must be torn

down and reconstructed, but it has served its temporary purpose. Some of the structures already have disappeared and others are falling to pieces.

In spite of all the wrongheadedness, all the misconceptions, all the blunders, progress has been made and results accomplished. Eight years are, after all, not a very long time in the history of a nation.

When the Armistice was signed, a very large section of Northern France and of Belgium, of Poland and of Serbia was little better than a desert. The land was gashed with trenches, pitted with shell holes, strewn with wire entanglements and the debris of battle, fetid with decay. Villages were in ruins, factories dismantled and coal pits unworkable. Today the scars remain, but life has again become normal. The fields have been leveled and crops grow over the battlefields. The flimsy shelters and the cellars have been deserted and permanent cottages replace them. The factories at Lille are hard at work and France has an export balance. The coal mines have been pumped out and are producing in larger volume than before the war, the daily average production being 5,500 tons above the 1913 output. To accomplish this restoration, the French Government has spent 85,000,000,000 francs and has added the sum to the towering structure of the national debt.

The rehabilitation of the battlefield of the Eastern front, while less complete, has in large measure been accomplished.

DISILLUSIONED SOLDIERS

When the Armistice was signed, millions of men, all over Europe, grounded their arms. The process of returning them to their homes and of establishing them in industry was herculean. Large numbers of them, boys when they entered the armies, were practically without experience in anything except fighting; others were incapacitated, because of wounds or disease, from resuming their former employment, even had work been ready for them. Thousands of men and women had been employed in munition making and other war industries, and they became competitors with the demobilized soldiers for the available jobs. While industry accomplished

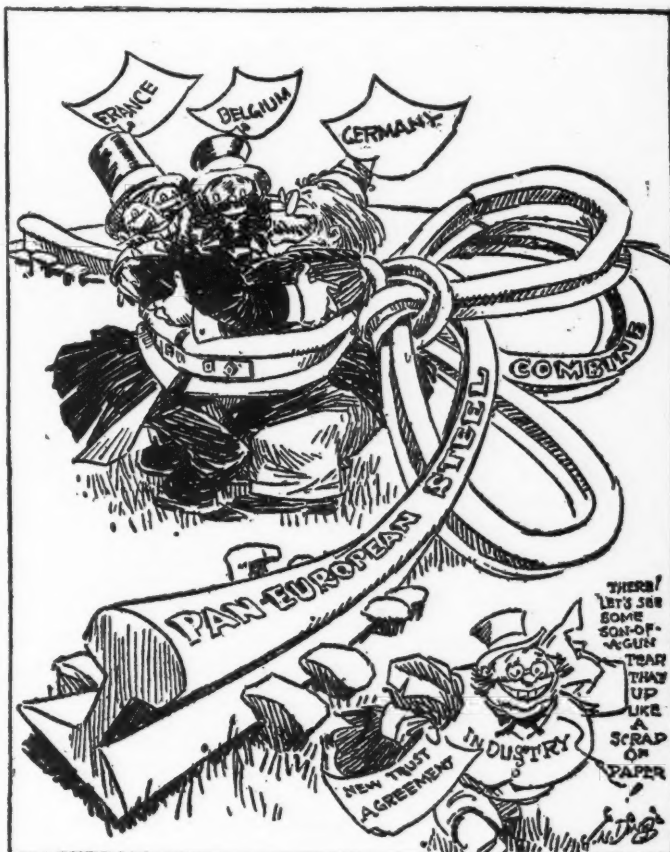
its reorganization with surprising rapidity, the absorption of this flood of labor took time; and, in the interval, there was great suffering. The returning soldier found that he was no longer a hero, to be fêted whenever he appeared, but an out-of-work whose presence made every one uncomfortable. Quite naturally, his disillusionment was very bitter; and the surprising fact is, not that there was occasional consequent disorder, but that there was so little. Gradually, however, the men, most of them, found jobs; and though the number of the unemployed is still above the pre-war normal, it has ceased, in most countries, to be menacing.

The end of the war revealed a shortage in the food supply, hardly realized while the contest was going on. All over Central Europe, in Russia, in the Balkans, in the Near East, thousands were starving. There was neither food nor money to buy it. With such energy as they had, the existing Governments, aided by the effective work of the American Relief, the Red Cross and similar organizations, grappled with the problem. Although the magnitude of the task was too great to be completely accomplished, the lives of hundreds of thousands were saved. A series of normal crops, an approximate restoration of facilities for transport and exchange have removed the fear that the world may see again the horrors of those dreadful years.

The new Governments, improvised at the end of the war, were not easily established. Even in Germany, the attack of the Communists and of the Royalist reactionaries had to be dealt with in summary fashion. Hungary, battered by Bela Kun, was almost destroyed by the Rumanian hordes that the Allies, in their wisdom, turned loose upon her. Poland had scarcely caught her breath when her territory was again invaded by the Russians. In Armenia and Anatolia, the Allies played politics while the Turks, the Greeks and the Russians vied with each other in destruction. It would be a rash person who would claim that we have attained a stable condition in that territory that lies between the twentieth and thirtieth meridian, but wholesale bloodshed has ceased and the most difficult problems seem to be in the way of solution.

However serious may have been the political legacies of the Peace Conference, the economic problems that were created by the war and the decisions of the Conference were even more difficult, and their solution is still to be found. None of the Allied nations were able to look financial and economic facts in the face. There was an easy assumption that somehow they could "make the Germans pay." Public opinion demanded that political considerations should rule. The failure of the Conference to assess the amount of reparations threw Germany into bankruptcy. The neglect of the opportunity to provide for a customs union of the succession States of the Austro-Hungarian Empire brought untold misery. The Austria of today is an economic impossibility, and the attempt to create self-contained economic entities out of the States in the watershed of the Danube a demonstrated futility.

When, after the Weimar Convention, the new German Government strove to gain its feet, it faced financial liabilities of almost astronomic proportions. Not until 1920 was there any official estimate of the amount it would be required to pay. In July of that year, the sum necessary to reimburse France was set at 210,000,000,000 gold marks, and in October of the same year it was increased to 218,000,000,000, with total liabilities running to between 375,000,000,000 and 400,000,000,000. The accuracy of these estimates may be measured by the demand for 152,000,000,000 gold marks for restorations which were actually accomplished by the French Government for 85,000,000,000 paper francs.



THE NEW PEACE TIE

—New York Tribune

INCREASING REPARATION OBLIGATIONS

What followed need not be rehearsed. It was not until the failure of the Ruhr invasion and the complete degradation of the German finances that the Allies were willing to assent to the much milder terms established by the Dawes Commission. Whether it will be possible for Germany to pay the sums laid down in that agreement remains to be seen. The settlement has accomplished its purpose in enabling the re-establishment of German credit and of the foundations on which to build her economic life. If the greatly increased assessment for the year beginning Sept. 1, 1927, and the still larger sum required in the following year (1926-27, 1,200,000,000 gold marks; 1927-28, 1,750,000,000;

1928-29, 2,500,000,000), cannot be met, some way will be found to save the faces of all concerned.

A similar situation exists regarding the foreign debts owing to the United States. These settlements, too, were political. We demanded the whole loaf that we lent; we have already agreed to take a half loaf in return; with the decided probability that our own interest will compel us later still further to reduce our demands.

In Eastern Europe, economic conditions were far worse than in the West. Poland had abundant natural resources but no capital for their development. Austria, deprived of the territory upon which the capital fed, slowly starved. Hungary was in almost as bad a case, and both were compelled to put themselves into the hands of a receiver appointed by the League. Slowly they have recovered, although it seems impossible that either can ever attain the prosperity that was theirs before the war.

From the conflicting reports that purport to reveal the situation in Russia, it is difficult to determine the facts. In that vast inchoate mass called the Union of Soviet Socialist Republics, one can find arguments to suit almost any opinion. Two things seem fairly certain. The present Government is as firmly established as that of any of the new nations; and it has the support of the vast majority of the population. We are apt to forget the tyranny, the degradation and the misery of the old régime. The Russian people have not forgotten; and, by comparison, the present tyranny seems light to them. The peasant, and in a real sense the peasant is Russia, now feels that he is his own man. The Moscow Government is very far away and it does not mean much to him. Industrially, ground is slowly being gained and production is approaching the pre-war level. Much remains to be done, and it is very probable that the purity of the Communist doctrine will still further be sullied by practices borrowed from the capitalist world.

The day of inflated and debauched currency seems to be passing. Already a large share of Europe is on either the gold standard or the gold exchange standard.

France and Italy are the two conspicuous exceptions. When one remembers that only three years ago Germany was issuing postage stamps of the value of 50,000,000,000 marks and that, in several other countries, the currency was almost equally worthless, the relative stability of the present situation is little short of marvelous. The bills of inflation always have to be paid, and a good many of them are still outstanding.

Of all the products of the war, there is only one that is of unmixed benefit—the League of Nations. Crippled as it was at the start by the failure of one of the largest of its prospective shareholders to take the capital stock that had been assigned to him, it has, nevertheless gone on with the business. It is not a perfect organization; it sometimes blunders and sometimes shows weakness; but these are faults that it shares with the Governments of which it is composed. Its existence has been justified again and again. It has, in fact, made itself indispensable, certainly within the European area and that of its dependencies, probably for the world. It is the only barrier that stands between civilization and the tide that is ready to engulf it. It is the hope of the world.

VALUE OF THE LEAGUE

The League is the leader of the forces that are drawing the nations together, directing them and creating them. It furnishes a common table about which the nations may sit and present their desires and their grievances. It has provided a court to which they have agreed to bring their causes for trial. It is an agent of publicity on which the small nations may call to enlist the aid of the public opinion of the world against attempted oppression. Without the League we could hardly have had Locarno and Thoiry and all that they mean and may mean for the peace of Europe. Without the League the present movement for the unification of industry and for the destruction of the tariff barriers built by a frenzied nationalism could never have hoped for success.

In a sense, reconstruction has failed. It has not reproduced and cannot reproduce the Europe of 1914. That has gone for-

ever. It is as dead as was the Europe of 1789 after the wars of the French Revolution. A new Europe is rising from the ruins; but what it will be like a generation or two hence it is futile to predict.

It is unnecessary to be unduly disturbed over what is styled the failure of democracy and the rise of tyrannies like those of Italy and Spain. Democracy never has functioned very well, and probably never will. Outside the privileged classes, however, it seems to be more popular than any other system and, in the long run, to work quite as well. Most of us are convinced that a nicely polished dictatorship, run

according to our own ideas, would make this the best of all possible worlds; but any other sort would annoy us very much indeed. It is amazing to us that other groups should be so shortsighted as to hold views different from ours; but there they are, and they have certain rights. In this imperfect world of ours compromise seems to be necessary, however distasteful; and compromise and democracy are not very far apart in their meaning.

We have traveled a long road during these eight years. If the stars are still very far ahead, that is where they always have been.

The Surplus and Tax Issue in Congress

By WILLIAM MacDONALD

Lately Lecturer on American History, Yale University

THE month immediately preceding the opening of a short session of Congress rarely shows much of what may be called constructive politics. Such political discussion as goes on among political leaders or in the press is likely to be concerned mainly with the same issues that have already been debated in the November campaign, with speculations regarding the contents of the forthcoming annual message of the President and with such details of Congressional procedure as the committee assignments of new members or plans for disposing of election controversies involving contests for seats or the examination of charges against members-elect.

As far as this ad interim November period has developed anything properly to be regarded as a leading issue, the first place in importance must be assigned to the question of taxation and revenue. It will be recalled that President Coolidge, a few days after the results of the elections were known, expressed himself in favor of a rebate or refund of income taxes payable during the present year, to such an amount as should return to the taxpayers a considerable part of the surplus revenue

which had unexpectedly accumulated. Secretary Mellon also agreed that the taxpayers should receive the benefit of the surplus, but preferred a credit of 12½ per cent. on the income taxes payable in the first six months of 1927, being the second half of the fiscal year 1926-1927. In a Treasury statement issued on Nov. 15 the percentage of credit suggested was increased to 15 per cent., the total amount which it was proposed to return to the taxpayers being raised from \$250,000,000 to \$300,000,000.

Although neither of these proposals had been embodied in a formal program, their immediate effect was to bring on an active controversy between two opposing bodies of Congressional and public opinion, one favoring the continuance of the present revenue law but with a return of a reasonable proportion of the surplus to the taxpayers, the other urging a reduction of taxes in order to stop the accumulation of a surplus. The first of these views, represented by President Coolidge and the Secretary of State, was naturally taken as an indication of the policy which the Administration would advocate, but evidence of any general support for the

Administration view among Republicans was not forthcoming and Democratic spokesmen uniformly opposed it.

The grounds of the Administration proposal, as they appeared in the discussion of the matter were, first, the obvious impracticability of carrying through a general revision of the revenue laws in a short session of Congress; second, the uncertainty about the volume of Treasury receipts in the fiscal years 1926-1927 and 1927-1928; and, third, the desirability of using the surplus to carry out the policy of debt reduction which Congress had laid down and in anticipation of which Government securities had been sold.

The opponents of the Administration view, represented on the political side by Democratic leaders and a number of Republicans, and on the side of the public by the Chamber of Commerce of the United States, insisted that "tax tinkering" was not the proper remedy for the situation; that the existing income taxes, while affording relief to certain classes, were still unjust and ill-contrived and that it was time that "a permanent peace-time tax program" was adopted and unnecessary taxation ended. It was pointed out that while the Revenue Act of last February reduced taxes to the amount of approximately \$387,000,000, the estimated surplus of \$130,541,756 for the fiscal year 1925-1926 had actually amounted to \$377,767,816, or more than \$247,000,000 above the estimate. For the period from July 1 to Sept. 30, the first quarter of the present fiscal year, the income tax receipts exceeded by more than \$108,000,000 the receipts for the preceding quarter, and this in spite of the fact that the lower tax rates of the February act were operating. As the Treasury receipts from income taxes in 1927 will be based upon the incomes of 1926 and as the general prosperity which business has enjoyed thus far in 1926 cannot well be greatly impaired in the month that remains, it was regarded by expert judges as probable that the Treasury surplus for 1926-1927 would equal, and perhaps exceed, that of 1925-1926.

To meet this situation the Chamber of Commerce of the United States, whose

views were laid before President Coolidge on Nov. 15, urged a "reduction in the tax burden * * * so far as the actual needs of the Treasury will permit," and the "removal of inequalities and defects in the present Federal tax system." The specific recommendations included the lowering of the corporation tax, which has been raised from 12½ per cent. to 13½ per cent., the repeal, "as soon as the state of the Treasury allows" of the excise taxes and taxes on particular businesses "which were imposed as a means for raising revenue for the great war," and the repeal of the Federal inheritance tax.

It was announced on Nov. 18 that Representative Garner of Texas, ranking Democratic member of the Ways and Means Committee of the House, and Senator Simmons of South Carolina, ranking Democratic member of the Finance Committee of the Senate, had agreed to support a plan by which a reduction of from \$300,000,000 to \$400,000,000 in taxes would be achieved by lowering the corporation tax to 11 per cent. or less and repealing the so-called nuisance taxes and the tax on automobiles. Representative Mills of New York, whose selection as the successor of Assistant Secretary Winston of the Treasury Department has been announced, was quoted on Nov. 26 as saying that he expected to lead the Administration forces in the House during the coming session in the fight for tax refund.

PROSPERITY AND THE SURPLUS

The expectation of a continued increase in surplus revenue unless taxes are reduced has been strengthened by the absence, as yet, of any indication of an approaching business slump. While certain leading industries, notably steel, automobiles and building, show the usual seasonal tendency to mark time or slacken production, official reports and forecasts indicate that the high volume of business activity which has been noted for many months has suffered no marked decline. The November elections, sometimes a disturbing factor when the party situation in Congress undergoes a change, have had no appreciable effect in the business world. The chief disquieting elements in

the business situation have been the increase of instalment buying and the diminished purchasing power of the South as a result of the low price of cotton, but the first of these dangers has already begun to receive serious attention from banks and credit establishments and the second has been put in the way of adjustment by concerted plans for financing the storage of cotton and restricting the new cotton acreage.

Beyond this immediate outlook is to be noted the marked economic progress of the country as a whole during the past year. In an economic review made public on Nov. 28 as a part of his annual report, Secretary of Commerce Hoover offered an impressive summary of the economic activities of the United States for the fiscal year 1925-26. Foreign loans of \$1,302,000,000, a rise in all the major economic indexes, some of them to a higher point than ever before, continued improvement in the relation of prices of farm products to prices of other commodities, a gain of one-fourth in the volume of building contracts compared with the previous year, notable gains in the volume of railway traffic and a "consistently rising efficiency" in railway operation, increased use of motor trucks and buses in connection with other forms of transportation, and "ample credit for all legitimate purposes," were among the points stressed in the survey.

RELIEF FOR THE FARMERS.

Optimistic statements regarding general business, past or present, however, have had little effect in lessening the agitation for farm relief. In an address before the National Grange at Portland, Me., on Nov. 12, Secretary of Agriculture Jardine again urged the advantages of cooperative marketing as a means of adjusting supply and demand. The Corn and Cotton States Conference at St. Louis voted on Nov. 17 in favor of "legislation that will



"BUT THE RAVEN—STILL IS SITTING"
—Sioux City Tribune

enable farmers to control and manage excess supplies of crops at their own expense so as to secure cost of production with a reasonable profit," and declared that "such legislation must function through and foster cooperative marketing." Senator Capper of Kansas, one of the leaders of the farm bloc in Congress, expressed his belief, in a statement issued on Nov. 22, that "the agricultural forces of the West and South will be stronger than ever for the McNary-Haugen bill or some similar plan" for the management of surplus crops, and declared that "this Congress should promptly provide for a Federal marketing board, appointed by the President, with power to withhold surplus and pro rata any cost among the producers."

Considerable comment, not all of it favorable, was aroused by a speech of Edwin T. Meredith, former Secretary of Agriculture, delivered on Nov. 18 before the Chamber of Commerce of the State of New York, in which a Federal com-

mission, with power to fix the minimum prices of wheat, cotton, corn, wool, sugar and butter in advance of the planting season was proposed, the purchase crop surpluses to be made through a fund to be collected, like insurance, from the farmers. A new draft of the McNary-Haugen bill, it was announced on Nov. 22, had been prepared by Senator McNary of Oregon for presentation to Congress at the coming session. The appointment by the Chamber of Commerce of the United States and the National Industrial Conference Board of a Business Men's Commission on Agriculture was criticized by Representative Dickinson of Iowa, leader of the farm bloc in the House, as a "filibuster" intended to prevent the passage of the McNary-Haugen bill.

THE NEXT SESSION

In view of the regular appropriation bills, a sharp difference of opinion re-

garding the treatment of the Treasury surplus, and evidence of a strong demand for farm relief legislation, it was evident that the session of Congress which will begin on Dec. 6 would be a busy one. The election of Arthur R. Gould of Maine on Nov. 29 gave the Republicans exactly one-half of the membership of the Senate. As the other half comprises forty-seven Democrats and one Farmer-Labor member, Senator Shipstead of Minnesota, the one third-party Senator holds the balance of power, and the casting vote of the Vice President may at any time be needed to break a tie in case Senator Shipstead sides with the Democrats. The most notable addition to the Democratic ranks in the Senate is David I. Walsh of Massachusetts, who was elected to fill out the unexpired term of Henry Cabot Lodge, which Senator Butler was filling temporarily by appointment, and who will take his seat at once and serve until March, 1927.

Mexico's Alien Land and Oil Laws

By CHARLES W. HACKETT

Professor of Latin-American History, University of Texas

CORDIAL relations between the Governments of the United States and Mexico are endangered, chiefly as the result of serious differences that have arisen with respect to the new Mexican alien land and petroleum laws which were scheduled, in conformity with Presidential regulations promulgated for each on March 29 and April 8, respectively, to become effective in January, 1927. The seriousness of these differences is revealed in two notes from Secretary of State Kellogg to Mexican Minister for Foreign Affairs Sáenz, dated July 31 and Oct. 30, respectively, and the corresponding replies of Minister Sáenz, dated Oct. 7 and Nov. 17, respectively. All these notes were made public on Nov. 24. They merely supplement ten previous notes, relating to the same laws, which were exchanged between the two Governments

from Oct. 29, 1925, to March 27, 1926, all of which were made public on April 10, 1926.

The controversy in the last four notes centred upon four "fundamental ideas or principles" which Secretary Kellogg in his note of July 31 characterized as basic for a consideration of the matters in dispute. These principles, he added, "have repeatedly been advanced" by the United States Government, "and in their general statement * * * have all been endorsed by the Mexican Government." Secretary Kellogg enumerated them as follows:

First. Lawfully vested rights of property of every description are to be respected and preserved in conformity with the recognized principles of international law and of equity.

Second. The general understanding reached by the Commissioners of the two countries in 1923,

and approved by both Governments at the time of resumption of diplomatic relations with them, stands unmodified and its binding force is recognized.

Third. The principles of international law that it is both the right and the duty of a Government to protect its citizens against any invasion of their rights of person or property by a foreign Government, and that this right may not be contracted away by the individual is conceded.

Fourth. The principle that vested rights may not be impaired by legislation retroactive in character or confiscatory in effect is not disputed.

Secretary Kellogg's assertion that there was virtual agreement between the Governments of the United States and Mexico with respect to the four above-quoted basic principles was not to go unchallenged by Minister Sáenz. Instead, the correspondence shows, first, that the Mexican Government adheres unqualifiedly to the first principle; second, that it adheres to the fourth principle while contending with respect to it, "that the mere retroactive character of a law, taken by itself and until it does produce confiscatory effects or is harmful in any other way when applied cannot give rise to any objection whatsoever, nor be the cause of diplomatic representation"; and, third, that there is a wide difference in the opinions of the two Governments with respect to the second and third of Secretary Kellogg's above-quoted principles.

With reference to the second principle, Minister Sáenz, in his note of Oct. 7, denied that the conferences of 1923 had resulted in a "formal agreement, outside of the Claims Conventions which were signed after the resumption of diplomatic relations." By way of reply, Secretary Kellogg in his note of Oct. 30 reiterated his second fundamental principle, and added that the declaration of the Mexican and American Commissioners in 1923, "subsequently ratified by an exchange of notes between the two Governments, constituted * * * solemn and binding undertakings which formed the basis and moving consideration for the recognition of the Mexican Government by this Government." To this contention Minister Sáenz, in his note of Nov. 17, replied that his Government "has not discounted the conferences of 1923." He maintained, however, that "they did not have the

force of a treaty"; that to have given them that status "it would have been necessary to subject them to the constitutional laws of both countries, securing among other things the ratification of the respective Senates; and that by common accord our two Governments agreed that the results of the said conferences would not be considered a condition for the renewal of diplomatic relations between Mexico and the United States."

Also, in connection with the second principle, Secretary Kellogg, in his note of Oct. 30, emphasized the reservations made by the American Commissioners and recognized by the Mexican Commissioners in the conference of Aug. 2, 1923, regarding the rights of Americans to subsoil deposits. (These reservations are in "*Proceedings of the United States-Mexican Commission Convened in Mexico City*," May 14, 1923. (Washington, 1925) (P. 49.) Minister Sáenz replied: "On this point my Government, referring to the same session, points out that in their turn the Mexican Commissioners reserved the rights of their Government in conformity with its laws and with the principles of international law regarding lands in the terms which appear in the respective minutes."

PROTECTION OF NATIONALS

With reference to the contrary positions held by the two Governments concerning Secretary Kellogg's third principle, Minister Sáenz, in his note of Oct. 7, stated that "the Mexican Government does not deny that the American Government is at liberty to intervene for its nationals; but that does not stand in the way of carrying out an agreement under which the alien agrees not to be the party asking for the diplomatic protection of his Government."

The correspondence that was published on Nov. 24 shows that the latest phase of the controversy between the two Governments was not limited to the four above-quoted fundamental principles. Instead, on the assumption that the Mexican Government evidently considers "property rights, which are commonly regarded as vested, in terms of a mere right of user or enjoyment, which might lawfully be inter-

rupted or wholly taken away by laws or regulations," Secretary Kellogg proceeded to indicate how the application of such an alleged theory would affect American property owners. For example, owners of the subsoil who acquired their titles before the going into effect of the present Constitution on May 1, 1917, are required, Secretary Kellogg pointed out, "under penalty of forfeiture, to apply within one year for 'confirmation' of their titles and to accept 'concessions' for not more than fifty years from the time the exploitation works began." This statute the United States Government unreservedly holds to be both retroactive and confiscatory on the ground that "it converts exclusive ownership * * * into a mere authorization to exercise rights for a limited period of time." By way of reply to this contention Minister Sáenz adduced various arguments to support his contention that while this provision seemed to be a "lessening" of the right in question, such, in actual practice, would not be the case. In this connection Minister Sáenz stated that "the best defense that may be offered for the petroleum law * * * is the large number of applications for confirmation that have been filed and published, many of them being from foreign concerns."

With reference to the alien land law Secretary Kellogg pointed out that "foreign absolute owners of stock in Mexican corporations holding rural property for agricultural purposes" are required "to dispose of their corporate interests in excess of 49 per cent. within the term of ten years." This was interpreted by Secretary Kellogg to mean that "a plainly vested interest * * * is divested by compelling the holder, without his desire or consent, to dispose of the same within a limited time under conditions which may or may not be favorable to the transfer." Such a "conception of a vested right," Secretary Kellogg stated, "cannot be accepted by my Government." By way of reply, Minister Sáenz argued that the controverted provision does not "attempt to curtail" the possessions of foreign owners of corporate stock in excess of 49 per cent., but merely "imposes on them the obligation to trans-

form this property incompatible with the law into another which can be (compatible), fixing a term of years for this to be accomplished."

Another controverted point in the correspondence is that of the status of the subsoil held by the owner of the surface whose title became vested before May 1, 1917. The situation with respect to this problem was summarized by Secretary Kellogg as follows:

It appears that the rights acquired therein by American nationals prior to 1917 are proposed to be dealt with in the following manner:

First—By construing them to be merely optional rights instead of vested interests, in spite of the fact that the laws in force when they were acquired specifically conferred upon the surface owners "exclusive property" in the oil deposits "in all their forms and varieties."

Second—By cutting down the definition of positive acts (such as drilling, or any act indicating an intention to exploit the subsoil) so as to deprive the owners of all benefits arising from manifestations of intention which fall clearly within the original intention.

Secretary Kellogg concluded this discussion by stating that "whenever any Government attempts to dispossess foreigners of property rights * * * the American Government with respect to its citizens has the absolute duty of making efforts and representations to prevent it."

In answer to the above contentions, Minister Sáenz stated that Secretary Kellogg had taken an advanced stand in holding that "an acquired right does not require that any act of protection be performed to support it." He also held that "to claim that the Mexican Government must protect and safeguard not only the acquired but also the potential rights is to impart to the idea of retroactivity of the laws an unjustified breadth."

AMERICAN ATTITUDE DEFINED

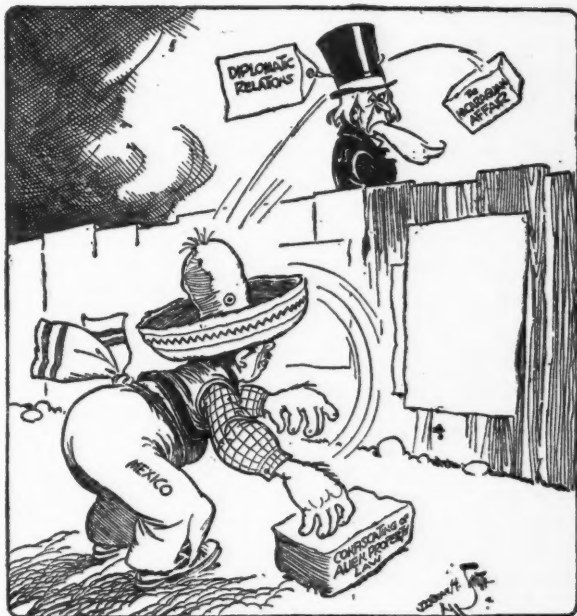
In his final note of Oct. 30 Secretary Kellogg stated that the United States Government finds no occasion to modify any of the positions which it had theretofore taken, and "desires to be understood as maintaining these positions with utmost emphasis." He explained that his purpose had been "to point out so clearly as to

leave no room for misunderstanding the extremely critical situation affecting the relations between the two countries." He concluded by warning that the Government of the United States "expects the Mexican Government not to take any action under the laws in question and the regulations issued in pursuance thereto which would operate, either directly or indirectly, to deprive American citizens of the full ownership, use and enjoyment of their said properties and property rights."

By way of reply to the above representations of Secretary Kellogg, Minister Sáenz concluded his note as well as the diplomatic exchanges to date, as follows: "My Government on its part expects that that of your Excellency will indicate the concrete cases in which recognized principles of international law may have been violated or may be violated in disregard of legitimate interests of American citizens, since in such cases it will be disposed to repair such violations."

Such is the status of the controversy between the two Governments over the land and petroleum laws as revealed by the correspondence which was made public on Nov. 24. That the situation as it then stood may since have been modified somewhat by a disposition on the part of foreign property owners in Mexico to comply with the provisions of both laws is indicated in the following statement issued by Minister Sáenz on Nov. 29: "In spite of campaigns abroad against compliance with the land and petroleum law, the regulations are being enforced without difficulty and its application is an accomplished fact. In general all foreign companies, American, British, French and others, have taken steps to comply, and only a few have not yet announced their intention of doing so before the end of the year."

There is also some indication that the Mexican Government may make some concessions to foreign companies in the enforcement of the new laws. A statement



MORE TARGET PRACTICE

—Nea Service

of the Mexican Embassy in Washington on Dec. 2 says that the Mexican Government "has declared that in cases in which interests of foreigners are involved the alien land law and its regulations shall be applied preferentially." With respect to the enforcement of the provisions of the petroleum law the Embassy statement reads: "Rights acquired prior to May 1, 1917, by foreign companies will be confirmed by the Mexican Government not only without cost but without the declaration renouncing diplomatic protection required by the law for future acquisitions. * * * Investments made before the granting of the concession will be considered * * * in compliance with the condition as to 'actual operations,' and nothing further will be required during the term of the concession. * * * Concessions granted * * * confer legal possession of the rights under consideration without necessity for any further formality."

DISPUTE OVER NICARAGUA

Another factor making for a delicate

situation in the relations of the United States and Mexico is the threatened clash of interests of the two Governments in Nicaragua, where Mexico has been charged with aiding the Liberal revolutionists. On Nov. 15, the day after he had entered upon his executive duties, Adolfo Díaz, Conservative President of Nicaragua, solicited for his Government "the support of the Department of State, with a view to reaching a solution" in the revolutionary crisis and to "avoiding further hostilities and invasion on the part of the Government of Mexico." Two days later, after formal recognition of the Díaz Government had been accorded by that of the United States, Secretary of State Kellogg issued a formal statement in which he expressed the hope that President Díaz's projected offer of peace "will be accepted by the Liberals, since only by cooperation between all fac-

tions can peace and tranquillity be restored to that country now so unhappily torn by revolution, a condition which has invited interference from outside sources; a state of affairs which must cause concern to every friend of stability in Central America."

United States Chargé d'Affaires Lawrence Dennis was reported in Managua dispatches of Nov. 30 to have stated that Dr. Juan Sacasa, who was Liberal Vice President at the time of the Chamorro Conservative coup a year ago, was en route to Nicaragua to establish a Liberal Government in opposition to the present Conservative Government of General Díaz, and that it is expected that he will be recognized by Mexico. Nicaraguan Government officials were reported to have asserted that such action by Mexico would constitute a direct challenge to the United States.

America's Proposal for Tacna-Arica Settlement

By HARRY T. COLLINGS

Professor of Economics, University of Pennsylvania

SECRETARY KELLOGG made public on Nov. 30 a plan for the peaceful settlement of the dispute between Chile and Peru over the possession of the Provinces of Tacna and Arica. This new plan differs radically from the plebiscite method which has engaged the attention of the interested nations and the United States as arbitrator for the past five years. It is now proposed to make the two Provinces, with certain reservations, a part of Bolivia, in return for which that republic is to make suitable compensation to Chile and Peru.

The economic value of the area is practically nil, but its retention by Chile and its recovery by Peru have through the years become questions of national honor. It is the winning of a dispute rather than

the winning of a disputed area that has complicated negotiations for the past two years. Secretary Kellogg now asks Chile and Peru to join in mutual friendship, and turn over the 9,000 square miles of territory and 40,000 population to land-locked Bolivia. This would restore the Bolivian outlet to the sea and in no way injure national pride or the economic welfare of either disputant. Mr. Kellogg would reserve from the transfer the promontory extending into the Pacific known as the Morro of Arica. This promontory the proposal would place under the jurisdiction of an international commission "which shall be charged with maintaining it as an international memorial to the valor of both Chile and Peru." To commemorate this valor a lighthouse or a monument

would be erected on the Morro. In addition the town of Arica, the chief port of the region, would be made forever a "free port" of equal relation to the needs of Chile, Peru and Bolivia, and no discriminatory rates or charges made with respect to the port, "or to the railroad, or to any other means of communication within the Provinces of Tacna and Arica."

This document exhales a spirit of amity and endeavors to settle a dispute of almost fifty years' standing without compelling either disputant to undergo the humiliation of tarnishing national honor by renouncing his rights ingloriously, or by having a populace vote away those rights. The present plan robs neither party of valuable possessions, and yet gives to Bolivia a coveted outlet to the sea. The provinces of Tacna and Arica are vast stretches of desert sand. The port of Arica on the Pacific, with a population of 5,000, is connected with the only other settlement of importance in the region—the village of Tacna—by a railroad thirty-eight miles long. This line, the significance of which is military rather than commercial, is flanked by barren sands without sign of inhabitant or blade of grass. There is neither guano bed nor nitrate field of any extent. By right of conquest Chile obtained the territory from Peru at the end of the War of the Pacific in 1884. By the treaty of Ancon which concluded the peace, a plebiscite to settle the nationality of the two provinces was to be held in ten years. In 1894, however, because of disagreement as to method and procedure in the voting the plebiscite was not held. Thus the matter lingered until President Harding was asked to act as arbitrator. After his death, the solution of the problem became an official duty of President Coolidge. On March 4, 1925, he decided in favor of holding the plebiscite to determine the nationality of the territory. Five months later General Pershing, as head of the Plebiscitary Commission, began the task of deciding who should be allowed to vote. In January, 1926, he retired in favor of General Lassiter who, after six months' work, declared last June that the holding of "a free and fair plebiscite, as required by the award, is impracticable of accomplishment." Secretary Kellogg then took

up the matter through diplomatic channels.

STATE DEPARTMENT POINTS

In introducing its proposal the Department of State pointed out (a) that numerous efforts have been made since the Treaty of Ancon to effect a solution within the scope and intent of the treaty itself but these attempts have all thus far been unproductive; (b) that the recent negotiations in Tacna-Arica have unquestionably served to explore the possibilities of adjustment and that the position of the principals, as well as a sincere desire on both sides to arrive at a final and constructive solution, is clearly manifest; (c) that the problem is now one of national honor which is a real thing that must and can be respected, and that no indignity will be heaped upon Chile or Peru by an amicable settlement, but rather a high-minded settlement of the controversy will enable them both to stand before the world as friends unembarrassed by any serious differences; (d) that if we leave out of further consideration the plebiscite plan because it has failed, there are but three ways to deal with the disputed territory—assign it to one of the contestants, divide it between them or effect some arrangement whereby neither contestant shall get any of the territory. The first plan is infeasible in the minds of those unprejudiced persons best qualified to judge. The second method has been painstakingly canvassed, and has apparently receded further into the background of impracticability, since no scheme of division, however ingeniously worked out, will lead either government to make an adjustment which involves substantial concessions to the other. By the *reductio ad absurdum* reasoning only the third plan is possible.

To assign the territory to a third party involves a joint sacrifice and one in which neither disputant can glory over the other. It meets the vital conditions, offers advantages from the point of view of permanent peace and requires no moral surrender. The plan of Secretary Kellogg contains the following specific proposals:

1. Voluntary cession to Bolivia by Chile and Peru of all right, title and interest which either may have in Tacna and Arica.
2. Compensation by Bolivia for this cession—

the amount to be agreed upon by direct negotiations of the three republics concerned. The Secretary of State offers his services if necessary in these negotiations.

3. Equitable apportionment of the cash compensation to be made by direct negotiation between Chile and Peru. The Secretary of State tenders his good office if needed and undertakes to apportion the compensation if asked to do so by both countries.

4. The Morro promontory to be withheld from the transfer to Bolivia and under an international commission to serve as memorial to friendly settlement and the national valor of both republics.

5. Suitable treaties of friendship to be entered into between Chile and Peru and diplomatic and consular relations resumed as soon as the foregoing arrangements are completed.

6. The city of Arica to be a "free port," open

to all three countries without favor or prejudice.

The document concludes by stating that this simple plan leaves no room for further dispute and thus ends the controversy. It injures national pride not a whit and promotes the permanent peace and stability of the South American continent. The proposal of Secretary Kellogg is an appeal to idealism, and idealism is the outstanding characteristic of the Latin American peoples.

It was reported on Dec. 3 that Bolivia had accepted the proposal, and that Chile was considering it and would probably accept the proposition in principle, if not in all its detail.

British Imperial Conference Results

By RALSTON HAYDEN

Professor of Political Science, University of Michigan

THE British Imperial Conference of 1926 seems destined to take a place in history as one of the great constitutional conventions of all time. On Nov. 20 it adopted a plan for the organization of the British Empire which, to all appearances, has been wholeheartedly accepted by the representatives and the people of Great Britain and the self-governing Dominions associated with her. In the magnitude and diversity of the interests involved, in boldness of principle and adroitness in expression, in adaptation of the practices of the past to the needs of the present and the future, the conference report on inter-imperial relations has already been ranked by universal opinion as one of the world's great constitutional documents. Because it seems to assure the permanence of the British Empire during a period when established political dogmas and traditional international relationships are being subjected to tremendous strain in many parts of the world, this solution of Britain's imperial problems is of the highest practical significance to almost every member of the family of nations.

Before the fateful years of 1914 to 1918 there were many British subjects and more foreigners who felt that the British Empire might be expected to disintegrate when subjected to severe internal stress or external attack. Since 1919 it has been recognized that the Dominions were held to Britain by bonds of sentiment and interest which could not easily be broken. Yet the conditions of the imperial relationship were, at some points, so nebulous and obscure that they were unsatisfactory to some of the members of what gradually came to be known as the British Commonwealth of Nations. It was a great achievement of the Imperial Conference to express the relationship between the several parts of the Empire in terms which definitely recognize the equality of each Dominion with all of the others and with Great Britain in a voluntary partnership under a common sovereign and provide methods by which the members of the partnership may transact the business of government with each other and the other nations of the world. In this partnership it is recognized that each self-governing member of the Empire

is master of its own destiny; but it is assumed that each will be, in truth and in fact, a loyal partner.

It is impossible to foresee what effect the establishment of a great empire upon the basic principles of national freedom and equality will have upon the political organizations of the world. That it will have some effect upon both national and international institutions cannot be doubted. That it may point the way to a somewhat similar adjustment of the relations between some other great nations and territories which are now dependent upon them is not impossible. Yet, in this connection, the two cardinal points of this new charter of empire should never be forgotten: it is a thing of the spirit, not of the letter; and, far from being a deliberate creation, it is a natural product of progressive history.

The first, and the fundamental, understanding established by the Balfour report is that "equality of status so far as Britain and the Dominions are concerned is the root principle governing our inter-imperial relations." India is stated to be without the scope of the report because its position in the Empire is already defined by the Government of India act of 1919. The "Dominions" are Australia, Canada, Ireland, Newfoundland, New Zealand and South Africa.

IMPORTANT CHANGES

Relations between the various parts of the Empire are discussed under five heads:

(1) The title of the King is changed to bring it into accord with the present status of the Irish Free State.

(2) It is declared that the Governor General of a Dominion "is a representative of the Crown, holding in all essential respects the same position in relation to the administration of public affairs in a Dominion as is held by his Majesty the King in Great Britain, and he is not a representative or agent of his Majesty's Government in Great Britain, or of any department of that Government." In the future the recognized channel of communication between a Dominion and Great Britain will not be the Governor General, but from Government to Government, direct.

(3) General principles intended to establish the Dominion Legislatures upon an equality with the British Legislature are laid down, and it is recommended that an imperial expert committee be set up to recommend a detailed plan for putting these principles into effect.

(4) It is recommended that a subcommittee be set up to report upon imperial merchant shipping legislation.

(5) It is set forth that, though it was no part of the policy of the King's Government in Great Britain that cases should be appealed from the highest Dominion courts to the Judicial Committee of the Privy Council except in accordance with the wishes of the part of the Empire primarily affected, yet it was recognized that where constitutional or legal matters affected other parts of the Empire appeals might be desirable. The purpose evidently is to leave the way open for the continued existence of the useful imperial supreme court upon which the Dominions are already represented.

In connection with the relations of members of the British Empire with foreign nations, provision is made for the independent negotiations of treaties by each member, through plenipotentiaries selected by them but granted full powers by the King. Other members are to be bound by such treaties only when they so wish. Other provisions for carrying on foreign relations are also made, and it is recognized that in the general conduct of foreign affairs the major share of responsibility rests now and must for some time rest on Great Britain. The propriety of Dominion diplomatic representation in foreign capitals is recognized.

The report suggests the development of a permanent and regular system of communication between Great Britain and the Dominions, especially for the purpose of maintaining close personal contact between sessions of the Imperial Conference. In a special section, the conference approved the methods by which Great Britain became a party to the Treaty of Locarno, but decided that this pact should not be ratified by the Dominions.

Although the adoption of a scheme of

organization for the British Commonwealth of Nations was the great, outstanding achievement of the Imperial Conference, the conference considered a number of other matters of importance. Among these were matters of imperial defense, immigration, citizenship within the Empire, the evils resulting from the discharge of oil in navigable waters, the unification of the rules relating to bills of lading and the work of the Imperial Shipping Committee.

Perhaps the outstanding feature of the entertainment of the visiting delegates was the great naval manoeuvres which were executed for them. The spirit and methods

of the conference and its results were received with great satisfaction throughout the Empire. Even General Hertzog, the Nationalist Prime Minister of the Union of South Africa, regarded the report on inter-imperial relations as worthy of acceptance. Some of the recommendations of this report can be made effective by general acceptance or executive action; others, such as the alteration of the King's title, will require legislation. There is little doubt, however, that the entire substance of the report will form the constitutional basis of the British Empire for an indefinite time to come.

Text of the Report on the Reorganization of the British Empire.

The following is the full text of the report of the Inter-Imperial Relations Committee of the Imperial Conference issued in London on Nov. 20, 1926:

I-INTRODUCTION

We were appointed at a meeting of the Imperial Conference, Oct. 25, 1926, to investigate all questions on the agenda affecting inter-imperial relations.

Our discussions on these questions have been long and intricate. We found on examination that they involved consideration of fundamental principles, affecting the relations of the various parts of the British Empire *inter se* as well as the relations of each part to foreign countries.

For such an examination the time at our disposal has been all too short, yet we hope that we may have laid a foundation on which subsequent conferences may build.

II-STATUS OF GREAT BRITAIN AND THE DOMINIONS

The committee are of the opinion that nothing would be gained by attempting to lay down a constitution for the British Empire. Its widely scattered parts have very different characteristics, very different histories and are at very different stages of evolution, while considered as a whole it defies classification and bears no real resemblance to any other political organization which now exists or has ever yet been tried. There is, however, one most important element in it which from a strictly constitutional point of view has now, as regards all vital matters, reached its full development—we refer to the group of self-governing communities composed of Great Britain and the Dominions.

Their position and mutual relation may be readily defined. They are autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by common allegiance to the crown and freely associated as members of the British Commonwealth of Nations.

A foreigner endeavoring to understand the true character of the British Empire by the

aid of this formula alone would be tempted to think that it was devised rather to make mutual interference impossible than to make mutual cooperation easy.

Such criticism, however, completely ignores the historic situation. The rapid evolution of the overseas dominions during the last fifty years has involved many complicated adjustments of old political machinery to changing conditions. The tendency toward equality of status was both right and inevitable. Geographical and other conditions made this impossible of attainment by the way of federation.

The only affirmative was by the way of autonomy, and along this road it has been steadily sought. Every self-governing member of the Empire is now master of its destiny. In fact, if not always in form, it is subject to no compulsion whatever.

Foundations of the Empire

But no account, however accurate, of the negative relation in which Great Britain and the Dominions stand to each other can do more than express a portion of the truth. The British Empire is not founded upon negations. It depends essentially if not formally, on positive ideals. Free institutions are its lifeblood; free cooperation is its instrument. Peace, security and progress are among its objects. Aspects of all these great themes have been discussed at the present conference. Excellent results have been thereby obtained, and though every Dominion is now and must always remain the sole judge of the nature and extent of its cooperation, no common cause will, in our opinion, be thereby imperiled.

Equality of status so far as Britain and the Dominions are concerned is thus the root principle governing our inter-imperial relations. But the principles of equality and similarity appropriate to status do not universally extend to function. Here we require something more than immutable dogmas.

For example, to deal with questions of diplomacy and questions of defense we require also flexible machinery—machinery which can from time to time be adapted to the changing circumstances of the world. This subject also has occupied our attention. The rest of this report will show how we have endeavored not

only to state political theory, but to apply it to our common needs.

III—SPECIAL POSITION OF INDIA

It will be noted that in previous paragraphs we have made no mention of India. Our reason for limiting their scope to Great Britain and the Dominions is that the position of India in the Empire is already defined by the Government of India act of 1919.

We would, nevertheless, recall that by Resolution IX of the Imperial War Conference in 1917 due recognition was given to the important position held by India in the British Commonwealth. Where in this report we have had occasion to consider the position of India we have made particular reference to it.

IV—RELATIONS BETWEEN VARIOUS PARTS OF THE BRITISH EMPIRE

Existing administrative, legislative and judicial forms are admittedly not wholly in accord with the position as described in Section II of this report. This is inevitable, since most of these forms date back to a time well antecedent to the present stage of constitutional development. Our first task, then, was to examine these forms with special reference to any cases where want of adaptation of practice to principle caused or might be thought to cause inconvenience in the conduct of inter-imperial relations.

A—Title of His Majesty.

The title of his Majesty the King is of special importance and concern to all parts of his Majesty's Dominions. Twice within the last fifty years has the royal title been altered to suit changed conditions and constitutional development.

The present title, which is that proclaimed under the Royal Titles act of 1901, is as follows:

"George V. by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions Beyond the Seas, King, Defender of the Faith, Emperor of India."

Some time before the conference met it had been recognized that this form of title hardly accorded with the altered state of affairs arising from the establishment of the Irish Free State as a Dominion. It had further been ascertained that it would be in accordance with his Majesty's wishes that any recommendation for a change should be submitted to him as a result of the discussion at the conference.

We are unanimously of the opinion that a slight change is desirable and we recommend that, subject to his Majesty's approval, necessary legislative action should be taken to secure that his Majesty's title should henceforth be: "George V. by the Grace of God, of Great Britain, Ireland and the British Dominions Beyond the Seas, King, Defender of the Faith, Emperor of India."

B—Position of Governors General

We proceeded to consider whether it was desirable formally to place on record a definition of the position held by the Governor General* as his Majesty's representative in the Dominions. That position, though now generally well recognized, undoubtedly represents a development from an earlier stage, when the Governor General was appointed solely on advice of his Majesty's Ministers in London and acted also as their representative.

In our opinion, it is an essential consequence of the equality of status existing among the members of the British Commonwealth of Nations, that the Governor General of a Do-

minion is the representative of the Crown, holding in all essential respects the same position in relation to the administration of public affairs in a Dominion as is held by his Majesty the King in Great Britain, and that he is not a representative or agent of his Majesty's Government in Great Britain or of any department of that Government.

It seemed to us to follow that the practice whereby the Governor General of a Dominion is the formal official channel of communication between his Majesty's Government in Great Britain and his Governments in the Dominions might be regarded as no longer wholly in accordance with the constitutional position of the Governor General.

It was thought that the recognized official channel of communication should be, in the future, between Government and Government direct. The representatives of Great Britain readily recognized that the existing procedure might be open to criticism and accepted the proposed change in principle in relation to any of the Dominions which desired it. The details were left for settlement as soon as possible after the conference had completed its work, but it was recognized by the committee as an essential feature of any change or development in the channels of communication that the Governor General should be supplied with copies of all documents of importance and in general should be kept as fully informed as is his Majesty the King in Great Britain of Cabinet business and public affairs.

C—Operation of Dominion Legislation

Our attention was also called to various points in connection with the operation of Dominion legislation which, it was suggested, required clarification.

The particular points involved were:

1. The present practice under which the acts of the Dominion Parliaments are sent each year to London, and it is intimated through the Secretary of State for Dominion Affairs that "his Majesty will not be advised to exercise his powers of disallowance" with regard to them.

2. The reservation of Dominion legislation in certain circumstances for the signification of his Majesty's pleasure which is signified on advice tendered by his Majesty's Government in Great Britain.

3. The difference between the legislative competence of the Parliament at Westminster and of the Dominion Parliaments in that acts passed by the latter operate as a general rule only within the territorial area of the Dominion concerned.

4. The operation of legislation passed by Parliament at Westminster in relation to the Dominions. In this connection special attention was called to such statutes as the Colonial Laws Validity act. It was suggested that in the future uniformity of legislation as between Great Britain and the Dominions could best be secured by the enactment of reciprocal statutes, based upon consultation and agreement.

We gave these matters the best consideration possible in the limited time at our disposal, but came to the conclusion that the issues involved were so complex that there would be grave danger in attempting any immediate pronouncement other than the statement of certain principles which, in our opinion, underlie the whole question of the operation of Dominion legislation. We felt that, for the rest, it would be necessary to obtain expert guidance as a preliminary to further consideration by his Majesty's Governments in Great Britain and the Dominions.

On the questions raised with regard to disallowance and reservation of Dominion legislation, it was explained by the Irish Free State representatives that they desired to elucidate constitutional practice in relation to Canada,

*The Governor of Newfoundland is in the same position as the Governor General of a Dominion.

since it was provided by Article 2 of the articles of agreement for the Treaty of 1921 that "The position of the Irish Free State in relation to the Imperial Parliament and Government and otherwise shall be that of the Dominion of Canada."

On this point we propose that it should be placed on record that apart from the provisions, embodied in Constitutions or in specific statutes expressly provided for reservation, it is recognized that it is the right of the Government of each Dominion to advise the Crown in all matters relating to its own affairs. Consequently it would not be in accordance with constitutional practice for advice to be tendered to his Majesty by his Majesty's Government in Great Britain in any matter appertaining to the affairs of a Dominion against the views of the Government of that Dominion.

The appropriate procedure with regard to projected legislation in one of the self-governing parts of the Empire, which may affect the interests of other self-governing parts is previous consultation between his Majesty's Ministers in the several parts concerned.

On the question raised with regard to the legislative competence of members of the British Commonwealth of Nations other than Great Britain and in particular to the desirability of those members being enabled to legislate with extraterritorial effect, we think that it should similarly be placed on record that constitutional practice is that legislation by the Parliament at Westminster applying to a Dominion, would only be passed with the consent of the Dominion concerned.

As already indicated, however, we are of the opinion that there are points arising out of these considerations and in the application of these general principles which will require detailed examination, and we accordingly recommend that steps should be taken by Great Britain and the Dominions to set up a committee with terms of reference on the following lines:

To inquire into, report upon and make recommendations concerning—

A. Existing statutory provisions requiring the reservation of Dominion legislation for assent of his Majesty, or authorizing disallowance of such legislation.

B. (1.) The present position as to the competence of the Dominion Parliaments to give their legislation extraterritorial operation.

(2) The practicability and most convenient method of giving effect to the principle that each Dominion Parliament should have the power to give extraterritorial operation to its legislation in all cases where such operation is ancillary to provisions for peace, order and good government of that Dominion.

C. Principles embodied in or underlying the Colonial Laws Validity act of 1865 and extent to which any provisions of that act ought to be repealed, amended or modified in the light of existing relations between the various members of the British Commonwealth of Nations, as described in this report.

D—Merchant Shipping Legislation

Somewhat similar considerations to those set out above governed our attitude toward the similar, though special, question raised in relation to merchant shipping legislation.

On this subject it was pointed out that while uniformity of administrative practice was desirable, and indeed essential as regards merchant shipping legislation of various parts of the Empire, it was difficult to reconcile the application, in their present form, of certain provisions of the principal statute relating to merchant shipping, viz., the Merchant Shipping act of 1894, more particularly clauses 735 and 736, with the constitutional status of the several members of the British Commonwealth of Nations.

In this case, also, we felt that, although, in

the evolution of the British Empire, certain inequalities had been allowed to remain as regards various questions of maritime affairs, it was essential, in dealing with these inequalities, to consider the practical aspects of the matter.

The difficulties in the way of introducing any immediate alterations in the Merchant Shipping Code (which dealt among other matters, with the registration of British ships all over the world) were fully appreciated and it was felt to be necessary in any review of the position to take into account such matters of general concern as qualifications for registry as British ships, the status of British ships in war, work done by his Majesty's Consuls in the interest of British shipping and seamen and the question of naval courts at foreign ports to deal with crimes and offenses on British ships abroad.

We came finally to the conclusion that, following a precedent which had been found useful on previous occasions, the general question of merchant shipping legislation had best be remitted to a special sub-conference which could meet most appropriately at the same time as the Expert Committee, to which reference is made above. We thought that this special sub-conference should be invited to advise on the following general lines:

"To consider and report on the principles which should govern, in the general interest, practice and legislation relating to merchant shipping in various parts of the Empire, having regard to the change in the constitutional status and general relations which has occurred since the existing laws were enacted."

We took note that the representatives of India particularly desired that India, in view of the importance of her shipping interests, should be given the opportunity of being represented at the proposed sub-conference. We felt that the full representation of India on an equal footing with Great Britain and the Dominions would not only be welcomed but could very properly be given, due regard being had to the special constitutional position of India as explained in Section III of this report.

E—Appeals to the Judicial Committee of the Privy Council

Another matter which we discussed in which a general constitutional principle was raised concerned the conditions governing appeals from judgments in the Dominions to the Judicial Committee of the Privy Council. From these discussions it became clear that it was no part of the policy of his Majesty's Government in Great Britain that questions affecting judicial appeals should be determined otherwise than in accordance with the wishes of the part of the Empire primarily affected.

It was, however, generally recognized that where changes in the existing system were proposed which, while primarily affecting one part, raised issues in which other parts were also concerned, such changes ought only to be carried out after consultation and discussion.

As far as the work of the committee was concerned, this general understanding expressed all that was required. The question of some immediate change in the present conditions governing appeals from the Irish Free State was not pressed in relation to the present conference, though it was made clear that the right was reserved to bring up the matter again at the next Imperial Conference for discussion in relation to the facts of this particular case.

V—RELATIONS WITH FOREIGN COUNTRIES

From questions especially concerning the relations of various parts of the British Empire with one another we naturally turned to those affecting their relations with foreign countries. In the latter sphere a beginning had been

made toward making clear those relations by resolution of the Imperial Conference of 1923 on the subject of negotiation, signature and ratification of treaties. But it seemed desirable to examine the working of that resolution during the past three years, and also consider whether the principles laid down with regard to treaties could not be applied with advantage in a wider sphere.

A—Procedure in Relation to Treaties

We appointed a special sub-committee, under the Chairmanship of the Minister of Justice of Canada, the Hon. E. Lapointe, K. C., to consider the question of treaty procedure.

The sub-committee, on whose report the following paragraphs are based, found that the resolution of the conference of 1923 embodied, on most points, useful rules for the guidance of the Governments. As they became more thoroughly understood and established they would prove effective in practice.

Some phases of treaty procedure were examined, however, in greater detail in the light of experience in order to consider to what extent the resolution of 1923 might with advantage be supplemented.

Negotiations

It was agreed in 1923 that any of the Governments of the Empire contemplating the negotiation of a treaty should give due consideration to its possible effect upon other Governments, and should take steps to inform the Governments likely to be interested of its intention.

This rule should be understood as applying to any negotiations which any Government intends to conduct so as to leave it to the other Governments to say whether they are likely to be interested.

When a Government has received information of the intention of any other Government to conduct negotiations it is incumbent upon it to indicate its attitude with reasonable promptitude. So long as the initiating Government receives no adverse comments, and so long as its policy involves no active obligations on the part of other Governments, it may proceed on the assumption that its policy is generally acceptable. It must, however, before taking any steps which might involve other Governments in any active obligations, obtain their definite assent.

Where by the nature of a treaty it is desirable that it should be ratified on behalf of all the Governments of the Empire the initiating Government may assume that a Government which has had full opportunity of indicating its attitude, and has made no adverse comments, will concur in the ratification of the treaty. In the case of a Government that prefers not to concur in the ratification of a treaty unless it has been signed by a plenipotentiary authorized to act on its behalf it will advise the appointment of a plenipotentiary so to act.

Form of Treaty

Some treaties begin with a list of the contracting countries, and not with a list of heads of States. In the case of treaties negotiated under the auspices of the League of Nations adherence to the wording of the Annex to the Covenant for the purpose of describing the contracting party has led to the use, in the preamble of the term "British Empire," with the enumeration of the Dominions and India if parties to the Convention, but without any mention of Great Britain and Northern Ireland and the colonies and protectorates. These are only included by virtue of their being covered by the term "British Empire."

This practice, while suggesting that the Dominions and India are not on a footing of equality with Great Britain as participants in the treaties in question, tends to obscurity and misunderstanding and is generally unsatisfactory.

As a means of overcoming this difficulty it is recommended that all treaties (other than agreements between Governments), whether

negotiated under the auspices of the League or not, should be made in the name of heads of States, and if a treaty is signed on behalf of any or all of the Governments of the Empire the treaty should be made in the name of the King as the symbol of the special relationship between the different parts of the Empire.

The British units on behalf of which the treaty is signed should be grouped together in the following order: Great Britain and Northern Ireland and all the parts of the British Empire which are not separate members of the League; Canada, Australia, New Zealand, South Africa, the Irish Free State and India. A specimen form of treaty as recommended is attached as an appendix to the committee's report.

In the case of a treaty applying to only one part of the Empire it should be stated to be made by the King on behalf of that part.

The making of a treaty in the name of the King as a symbol of the special relationship between the different parts of the Empire will render superfluous the inclusion of any provision that its terms must not be regarded as regulating *inter se* the rights and obligations of the various territories on behalf of which it has been signed in the name of the King.

In this connection it must be borne in mind that the question was discussed at the Arms Traffic Conference in 1925, and that the Legal Committee of that conference laid it down that the principle to which the foregoing sentence gives expression underlies all international conventions.

In the case of some international agreements the Governments of the different parts of the Empire may be willing to apply between themselves some of the provisions as administrative measures. In this case they should state the extent to which, and the terms on which such provisions are to apply. Where international agreements are to be applied between the different parts of the Empire, the form of a treaty between heads of States should be avoided.

Full Powers

Plenipotentiaries for the various British units should have full powers issued in each case by the King, on the advice of the Government concerned, indicating and corresponding to the part of the Empire for which they are to sign. It will frequently be found convenient, particularly where there are some parts of the Empire on which it is not contemplated that active obligations will be imposed, but where the position of British subjects belonging to these parts will be affected, for such Government to advise the issue of full powers on their behalf to a plenipotentiary appointed to act on behalf of the Government or Governments mainly concerned. In other cases provision might be made for accession by other parts of the Empire at a later date.

Signature

In a case where the names of countries are appended to signatures in a treaty the different parts of the Empire should be designated in the same manner as is proposed in regard to the list of plenipotentiaries in the preamble to the treaty. The signatures of the plenipotentiaries of the various parts of the Empire should be grouped together in the same order as is proposed above.

Signature of a treaty on behalf of a part of the Empire should cover territories for which mandate has been given to that part of the Empire unless the contrary is stated at the time of signature.

Coming Into Force of Multilateral Treaties

In general, treaties contain a ratification clause and the provision that the treaty will come into force on the deposit of a certain number of ratifications. The question has sometimes arisen in connection with treaties

negotiated under the auspices of the League whether, for the purpose of making up the number of ratifications necessary to bring the treaty into force, ratifications on behalf of different parts of the Empire which are separate members of the League should be counted as separate ratifications.

In order to avoid any difficulty in future it is recommended that when it is thought necessary that a treaty should contain a clause of this character it should take the form of a provision that the treaty should come into force when it has been ratified on behalf of so many separate members of the League.

We think that some convenient opportunity should be taken of explaining to other members of the League changes which it is desired to make in the form of treaties and the reasons for which they are desired. We would also recommend that the various Governments of the Empire should make it an instruction to their representatives at international conferences to be held in the future that they should use their best endeavors to secure that effect is given to the recommendations contained in the foregoing paragraphs.

B—Representation at International Conferences

We also studied in the light of the resolution of the Imperial Conference of 1923 to which reference already has been made the question of representation of different parts of the Empire at international conferences. The conclusions which we reached may be summarized as follows:

1. No difficulty arises as regards representation at conferences convened by or under the auspices of the League of Nations. In the case of such conferences all members of the League are invited and if they attend are represented separately by separate delegations. Cooperation is insured by application of Paragraph 1, 1-C, of the treaty resolution of 1923.

2. As regards international conferences summoned by foreign Governments, no rule of universal application can be laid down, since the nature of representation must in part depend on the form of invitation issued by the convening Government.

- a. In conferences of a technical character it is usual and always desirable that the different parts of the Empire should (if they wish to participate) be represented separately by separate delegations, and where necessary efforts should be made to secure invitations which will render such representation possible.

- *b. Conferences of a political character called by a foreign Government must be considered on the special circumstances of each individual case.

It is for each part of the Empire to decide whether its particular interests are so involved, especially having regard to active obligations likely to be imposed by any resulting treaty, that it desires to be represented at the conference or whether it is content to leave negotiation in the hands of the part or parts of the Empire more directly concerned and accept the result.

If a Government desires to participate in the conclusion of a treaty the method by which representation will be secured is a matter to be arranged with the other Governments of the Empire in the light of the invitation which has been received. Where more than one part of the Empire desires to be represented three methods of representation are possible:

- (1.) By means of a common plenipotentiary, or plenipotentiaries, the issue of full powers to whom should be on the advice of all parts of the Empire participating.

- (2.) By a single British Empire delegation composed of separate representatives of such parts of the Empire as are participating in the

conference. This was the form of representation employed at the Washington Disarmament Conference of 1921.

- (3.) By separate delegations representing each part of the Empire participating in the conference. If, as a result of consultation this third method is desired, an effort must be made to insure that the form of invitation from the convening Government will make this method of representation possible.

Certain non-technical treaties should from their nature be concluded in a form which will render them binding upon all parts of the Empire, and for this purpose should be ratified with the concurrence of all the Governments. It is for each Government to decide to what extent its concurrence in ratification will be facilitated by its participation in the conclusion of the treaty, as for instance by the appointment of a common plenipotentiary. Any question as to whether the nature of the treaty is such that its ratification should be concurred in by all parts of the Empire is matter for discussion and agreement between the Governments.

C—General Conduct of Foreign Policy

We went on to examine the possibility of applying the principles underlying the treaty resolution of the 1923 Conference to matters arising in the conduct of foreign affairs generally. It was frankly recognized that in this sphere, as in the sphere of defense, the major share of responsibility rests now and must for some time continue to rest with his Majesty's Government in Great Britain.

Nevertheless, practically all the Dominions are engaged to some extent, and some to a considerable extent, in the conduct of foreign relations, particularly those with foreign countries on their borders. A particular instance of this is the growing work in connection with the relations between Canada and the United States of America, which has led to the necessity for the appointment of a Minister Plenipotentiary to represent the Canadian Government in Washington.

We felt that the governing consideration underlying all the discussions of this problem must be that neither Great Britain nor the Dominions could be committed to acceptance of active obligations except with the definite assent of their own Governments.

In the light of this governing consideration the committee agreed that the general principle expressed in relation to treaty negotiations in Section V-A of this report, which is indeed already to a large extent in force, might usefully be adopted as a guide by the Governments concerned in future in all negotiations affecting foreign relations falling within their respective spheres.

D—Issue of Exequaturs to Foreign Consuls in Dominions

A question was raised with regard to practice regarding the issue of exequaturs to consuls in the Dominions. The general practice hitherto in the case of all appointments of consuls *de carrière* in any part of the British Empire has been that the foreign Government concerned notified his Majesty's Government in Great Britain, through the diplomatic channel, of the proposed appointment, and that, provided it is clear that the person concerned is in fact a consul *de carrière*, steps have been taken without further formality for the issue of his Majesty's exequatur.

In the case of consuls other than those *de carrière* it has been customary for some time past to consult the Dominion Government concerned before the issue of an exequatur.

The Secretary of State for Foreign Affairs informed us that his Majesty's Government in Great Britain accented the suggestion that in future any application by a foreign Govern-

ment for the issue of an exequatur to any person who was to act as consul in a Dominion should be referred to the Dominion Government concerned for consideration and that if the Dominion Government agreed to the issue of an exequatur it would be sent to them for counter signature by the Dominion Minister. Instructions to this effect had indeed already been given.

E—Channel of Communication Between Dominion Governments and Foreign Governments

We took note of the development of special interest which had occurred since the Imperial Conference last met, viz., the appointment of a Minister Plenipotentiary to represent the interests of the Irish Free State in Washington, which was now about to be followed by the appointment of a diplomatic representative of Canada.

We felt that the most fruitful results could be anticipated from the cooperation of his Majesty's representatives in the United States of America already initiated and now further to be developed. In cases other than those where Dominion Ministers were accredited to heads of foreign States it was agreed to be very desirable that the existing diplomatic channels should continue to be used as between Dominion Governments and foreign Governments in matters of general and political concern.

VI—SYSTEM OF COMMUNICATION AND CONSULTATION

Sessions of the Imperial Conference at which the Prime Ministers of Great Britain and the Dominions are all able to be present cannot, from the nature of things, take place very frequently. The system of communication and consultation between conferences becomes, therefore, of special importance. We reviewed the position now reached in this respect with special reference to the desirability of arranging that a closer personal touch should be established between Great Britain and the Dominions and the Dominions *inter se*. Such contact alone can convey an impression of the atmosphere in which official correspondence is conducted.

Development in this respect seems particularly necessary in relation to matters of major importance in foreign affairs, where expedition is often essential and urgent decision necessary. A special aspect of the question of consultation which we considered was that concerning the representation of Great Britain in the Dominions. By reason of his constitutional position, as explained in Section IV-B of this report, the Governor General is no longer a representative of his Majesty's Government in Great Britain. There is no one, therefore, in the Dominion capitals in a position to represent with authority the views of his Majesty's Government in Great Britain.

We summed up our conclusions in the following resolution, which is submitted for the consideration of the conference:

"The Governments represented at the Imperial Conference are impressed with the desirability of developing a system of personal contact, both in London and in the Dominion capitals, to supplement the present system of intercommunication and the reciprocal supply of information on affairs requiring joint consideration. The manner in which any new system is to be worked out is a matter for consideration and settlement between his Majesty's Governments in Great Britain and the Dominions, with due regard to the circumstances of each particular part of the Empire, it being understood that any new arrangements should be supplementary to and not in replacement of the system of direct communication from Government to Government, and

the special arrangements which have been in force since 1918 for communications between the Prime Ministers."

VII—PARTICULAR ASPECTS OF FOREIGN RELATIONS DISCUSSED BY THE COMMITTEE

It was found convenient that certain aspects of foreign relations on matters outstanding at the time of the conference should be referred to us, since they could be considered in greater detail and more informally than at meetings of the full conference.

A—Compulsory Arbitration in International Disputes.

One question which we studied was that of arbitration in international disputes, with special reference to the question of acceptance of Article 36 of the Statute of the Permanent Court of International Justice providing for compulsory submission of certain classes of cases to the Court. On this matter we decided to submit no resolution to the conference, but whilst the members of the committee were unanimous in favoring the widest possible extension of the method of arbitration for the settlement of international disputes, the feeling was that it was at present premature to accept the obligations under the article in question.

A general understanding was reached that none of the Governments represented at the Imperial Conference would take any action in the direction of acceptance of the compulsory jurisdiction of the Permanent Court without bringing up the matter for further discussion.

B—Adherence of the United States of America to the Protocol Establishing the Permanent Court of International Justice

Connected with the question last mentioned was that of adherence of the United States of America to the protocol establishing the Permanent Court of International Justice.

The special conditions upon which the United States desired to become a party to the Protocol had been discussed at a special conference held in Geneva in September, 1926, to which all the Governments represented at the Imperial Conference had sent representatives. We ascertained that each of these Governments was in accord with the conclusions reached by the special conference and with the action which that conference recommended.

C—The Policy of Locarno

The Imperial Conference was fortunate in meeting at a time just after the ratifications of the Locarno Treaty of Mutual Guarantees had been exchanged on the entry of Germany into the League of Nations. It was, therefore, possible to envisage the results which the Locarno policy had achieved already, and to forecast to some extent the further results which it was hoped to secure. These were explained and discussed. It then became clear that from the standpoint of all the Dominions and of India there was complete approval of the manner in which the negotiations had been conducted and brought to so successful a conclusion.

Our final and unanimous conclusion was to recommend to the Conference the adoption of the following resolution:

"The Conference has heard with satisfaction the statement of the Secretary of State for Foreign Affairs with regard to the efforts made to insure peace in Europe, culminating in the agreements of Locarno, and congratulates his Majesty's Government in Great Britain on its share in this successful contribution toward the promotion of the peace of the world."

Signed on behalf of the committee,

BALFOUR, Chairman.

The Fluctuating French Franc

By CARL BECKER

John Stambaugh Professor of History, Cornell University

THE political situation in France was recently pronounced by Jacques Bainville to be a "mystery"—the mystery lying apparently in the fact that Premier Poincaré, given office last Summer for the sole purpose of stabilizing the franc, instead of doing this continues to hold office without telling any one what else, if anything, he intends to do. In last month's *CURRENT HISTORY* it was suggested that the Premier's hesitation was perhaps due as much to political as to financial difficulties, and during the last four weeks both difficulties, the political and the financial, have been apparent enough.

Minor political "crises" were created by both the Left and the Right Parties. In October it was evident that the Radical-Socialists did not succeed in thoroughly uniting the party at their Congress at Bordeaux, and that the support which the party declared itself willing to give to the Ministry was no more than tentative and conditional. This was made more than evident on Nov. 12, in connection with the request of the Government that interpellations be postponed until after the adoption of the budget. On this question the Radical-Socialists divided, 71 for and 47 against the Government, with 10 abstaining. The day following, M. Louis Marin, leader of the "Nationalists," took his turn, and nearly upset the Ministry by a denunciatory speech, delivered at a party meeting, against the Radical-Socialists and their leaders, whom he described as impotent when in office and dangerous when out. In view of the fact that four of the leaders of the Radical-Socialists are ministerial colleagues of M. Marin, this extraordinary performance aroused intense resentment among the Radicals. A demand for an interpellation, made by the Radical Deputy Hulin, placed the Premier in a difficult situation: unless the speech was disavowed the vote of the com-

bined Left groups was likely to upset the Ministry. On Nov. 16 accordingly, after a hasty meeting of the Cabinet, M. Poincaré read a statement to the Chamber in which he frankly disavowed the speech of his Minister of Pensions, explaining that his remarks were made in his capacity as private gentleman and not in his capacity as minister, and that there was in them no intention of wounding his colleagues in their reputation or their party pride. Undeterred by howls of derision from the Left, the Premier then gravely reminded the Chamber that the Ministry had been formed by a union of all groups for the purpose of stabilizing the franc, and that it would be unfortunate in the extreme if that delicate and important task should come to a premature end on account of minor political differences. The Government weathered the storm, but the politicians were disposed to say that the Premier had been in office a long time, and to ask why, since the Ministry had been formed to stabilize the franc, he did not proceed with the business of stabilizing it?

There was perhaps less point to this question so long as the franc continued to rise slowly, almost imperceptibly. But the political crisis was scarcely over when a new financial crisis was created by the sudden rise of the franc by jumps that were only too perceptible. During the third week in November the franc rose to the high point of 26.37, and this extraordinary performance was complicated by violent fluctuations in the process. It was said that the phenomenon was due to the return of great amounts of capital from abroad, an evasion rather than an answer to the question. Whatever the cause, the result was a kind of panic—furious speculation on the Bourse, depression of industry, and rapid increase of unemployment. In this "crisis," the finan-

cial position of the Government appeared nevertheless exceptionally strong. It was reported to have taken an active, and an effective, part in the "battle of the franc." In addition, it was reported to have bought enough exchange, not only to cover next year's foreign commitments, but to restore the Morgan loan of \$100,000,000. And meantime, during the height of the Bourse speculation, the weekly report of the Bank of France revealed a decrease in note circulation of 862,000,000 francs, and a reduction in the advances to the State of some 200,000,000 francs.

Needless to say, individuals and corporations who were adversely affected by the unaccountable fluctuations of the franc found little satisfaction in the fact that the Government was solvent. One serious aspect of the situation was that the French holders threw their stocks on the market in a panic; and then it was widely feared that foreigners had taken advantage of the panic to obtain control of numerous important French industries. Many important business and manufacturing interests made urgent demands for an immediate stabilization of the franc at whatever cost; and generally people were excitedly asking Premier Poincaré why he did not keep the franc down, just as seven months ago they were excitedly asking Premier Briand why he did not keep it up. Meantime, the gentle pressure of foreign bankers was apparently exerted to the same end, but with a qualification. On Nov. 13, Reginald McKenna, Chancellor of the British Exchequer and one of the principal English bankers, visited Premier Poincaré. Although announced as a visit "of courtesy" merely, it was understood that Mr. McKenna intimated to the Premier that British and American bankers

were pleased with the notable recovery of the franc during his ministry, and that British and American investors were prepared, always provided the French Chambers could be got to ratify the debt agreements, to make large and continuous investments in French industries if and when the franc should be stabilized—investments which it was obvious would greatly facilitate the payment of the debts.

Yet in spite of all pressure Premier Poincaré refused to commit himself, either in respect to the time when or the rate at which stabilization should be carried through. In a speech at Tarbes on Nov. 21 he stated that the French people must be prepared to support the Ministry of National Union with patience and fortitude for some time yet before it could hope to see the final solution of financial difficulties; and toward the end of the month the most optimistic report was to the effect that no attempt at stabilization was to be expected until after the passing of the present budget in December.

The questions that doubtless lie back of the Premier's hesitation in this matter are these. By waiting will not the franc attain a level still nearer its pre-war value, thus satisfying the large and influential class of government security holders? Can the franc be stabilized in any case without the aid of foreign bankers? Can foreign loans be obtained without the ratification of the debt agreement? Can the Chambers, in the present temper of rival political groups, be induced to ratify the debt agreements, the American debt agreement at all events, without important reservations? It may be that this series of questions presents the problem in the form of a vicious circle, but if so the fact was not officially announced.

Growth of German Trust Movement

By HARRY J. CARMAN

Associate Professor of History, Columbia University

THE struggle over the settlement of the property claims of the former German rulers, together with the other political happenings of the last few months, should not be allowed to obscure one of the most significant economic changes that have occurred in Germany since the World War, namely, the growth of horizontal trusts.

During the period of monetary inflation many German industrial concerns were combined to form what are generally spoken of as vertical trusts. Such an organization is nothing more nor less than a combination, under one management, of a number of plants each of which concerns itself with a separate stage in the output of a given product. The combination which the late Hugo Stinnes built up was of this type. For example, he combined coal mines, iron ore mines, blast furnaces, steel mills and steel rail mills. Vertical concentration, however, in many cases proved far from being satisfactory, because the monetary capital became enormously expanded and because it was found difficult to maintain a high degree of technical efficiency.

Instead of abandoning the trust idea, as a result of their experience with the vertical trust, the German industrial leaders have, during the last nine months, turned to another form of combination, the horizontal trust, which brings together under one management several plants producing the same article, as, for, instance, dyes.

Ranking first in importance among these new horizontal organizations is the Vereinigte Stahlwerke A. G., which was formed in May by the combination of Thyssen, Phoenix, Rhein Stahl and Dutch Luxemburg steel works. Subsequently other lesser concerns were taken into the combination, so that today, as regards capital, value of output and number of employees, it is by far the largest national corporation in Europe. Similar organizations were soon born. Among these were the Verein-

igte Oberschleisische Huettenwerke A. G. of Gleiwitz, which absorbed three Upper Silesian companies; Die Linke-Hoffmann Leuchthammer A. G., which took over practically all the Upper Silesian iron industry, and the Miag-Muehlenbau und Industrie A. G. of Frankfort, made up of no less than five important mill equipment manufacturing concerns. Five large German sugar factories were combined under the name of Sueddeutsche Zucker A. G. in Mannheim. The German match factories were also combined along horizontal lines, as were the Silesian cement industries. Another combination in the field of photography took place under the leadership of the Karl Zeiss Stiftung in Jena, which brought together the best known German manufacturing concerns, die Ika, die Goerz A. G., Ernemann A. G. and the Contessa Nettel A. G. of Stuttgart, under the firm name of Zeiss-Inkon A. G. As far as photographic apparatus is concerned, the chief competitor of this new company is the Eastman Kodak Company.

One of the most recent combinations was the Deutsche Linoleum Werken A. G., organized in Berlin with a capital of 30,000,000 marks. Until the time of its formation the industry had been held together only by a loose community-of-interest arrangement which was most unsatisfactory. Plans for the unification of the German clock industry are under way and negotiations have also been begun among the larger manufacturers of railway cars for the formation of a trust. In the latter industry the need for some sort of trust organization is especially pressing on account of the great delay of its principal customer, the German railroads, in placing orders. On Oct. 1 approximately a dozen car factories out of a total of about sixty were idle. Repair orders alone prevent others from closing down. Efforts to effect a more comprehensive combination of the already semi-trustified potash industry are also being made.

Antedating all the concerns mentioned thus far is the gigantic I. G. Teerfarben Industrie A. G. which was organized in 1925 by the combination of six more or less independent dye concerns. Like all the other German trust organizations, it desires to increase its profits by reducing both manufacturing and marketing costs. Before the World War Germany practically monopolized the dye markets of the world, but as a result of that conflict she lost her supremacy. Dye manufacture being regarded as a key industry and essential to national defense, other nations took steps to stimulate the industry. Numbered among these were the United States, Italy, Spain and Russia. Japan, too, sought to encourage home production of dyes by means of subsidies.

Meanwhile, the German dye manufacturers have been and still are making every effort to regain world dominance. According to the annual report, issued on Oct. 24, of the United States Tariff Commission, the exports of German dyes for 1925 amounted to 75,879,025 pounds, valued at \$44,311,155, an increase of 24 per cent. in quantity and 43 per cent. in value over 1924. By value, the 1925 exports were 85 per cent. and by quantity 32 per cent. of pre-war (1913) figures. It

is in the coarser or less refined products that the German producers have encountered greatest competition. In the high-priced products they have been successful in increasing their exports to both producing and non-producing nations.

One other motive for the organization of the dye trust should also be mentioned, namely, the desire to render Germany more independent economically. By the application of scientific methods this trust or the constituent parts of which it is formed has already succeeded in producing unsurpassed aniline dyes, in taking nitrogen from the atmosphere and thus eliminating Germany's need for Chilean saltpetre, and in producing many chemico-medical products such as salvarsan, germanin for sleeping sickness, aspirin, pyramidon and veronal. At present part of its staff of scientists are primarily engaged in work on light metal alloys, artificial silk and the production of synthetic fuel from the distillation of coal.

The movement toward trustification, which promises to eliminate wastes and to reduce costs, has already had the unfortunate result of increasing unemployment.

It is worth while noting, however, that the movement has not been obstructed by the Government. If anything it has received official encouragement.

Fascists Strengthening Grip on Italy

By ELOISE ELLERY

Professor of History, Vassar College

THE process of "Fascization" of the Italian State was further carried out during the last month by putting into effect various measures already proposed. The Senate on Nov. 20, by a vote of 183 to 49, approved the law for the defense of the State passed by the Chamber on Nov. 9. Some objection was raised on the ground that the death penalty was no real deterrent to the commission of crime, and that special military tribunals were contrary to the Constitution, as they offered no guarantee of justice to the ac-

cused. Several Senators declared that they were favorable to the re-establishment of the death penalty, but could not approve of the other measures of a political nature. One of the objectors, Senator Ruffini, gave as his reason for voting against the bill that he was not convinced that the measures for the safety of the State would be applied with moderation. In defending the bill Signor Rocco, Minister of Justice, argued that it was made necessary by the existing situation. It did not, however, concern foreigners either inside or



Mussolini: "Attempts at Assassination Are Unavoidable Professional Risks of Kings."

—Kikeriki, Vienna.

outside of Italy. As for the article which renders propaganda of parties or organizations in opposition to the Government illegal and punishable by law, reference was intended only to propaganda subversive of the economic and political constitution of the Italian State. That the special military tribunals might not give sufficient guarantees of justice he denied. These contentions were supported by Mussolini himself who closed the debate. "You must not seek the origin of this bill in attempts against my life" the Premier declared. "I repeat to you that these attempts leave me quite indifferent. If those who make me the object of their persistent ballistic attentions believe or hope that they can in this way exercise any influence, however faint or distant, on me, they are making a big mistake. Such a thought is completely ridiculous and laughable. Whatever may happen, I shall remain at

my post, because this is my precise intention.

"But if these episodes leave me indifferent they do not leave the Italian Nation indifferent! They produce profound upheavals in the life of the nation. It was the Italian people who asked in no uncertain terms that special measures be adopted.

"I merely wish to add that the special military tribunals will be composed of persons chosen by me personally, all of them absolutely above suspicion in every respect. These tribunals will mete out justice, not wreak revenge."

In order to carry out these measures, Mussolini had already taken over the Ministry of the Interior—a step which involved the displacement of Signor Federzoni, who was transferred to the Ministry of the Colonies. Federzoni was originally appointed in the turmoil following the Matteotti affair supposedly to represent the conservative element, and his departure was regarded as very significant. In commenting on the situation the *Corriere della Sera* remarked that it was "no exaggeration to say that no politician except the Prime Minister himself would have been able to stand [hold?] for so long a period so important an office in such a critical epoch of our country's history. It is a matter of note that Mussolini did not believe it possible to give Federzoni any successor but himself."

Meanwhile the measures taken by the Cabinet against opposition societies were speedily put into effect. Within two days all anti-Fascist political parties, associations or organizations throughout Italy were dissolved, as were also numerous others of a suspicious character. In thirty-three Provinces, however, out of a total of seventy-five no steps of any sort were taken, for the reason that all anti-Fascist activities there had already ceased. These all-Fascist Provinces were scattered all over Italy but do not include any of the larger cities. In Naples, Messina, Brescia and Venice several hundred anti-Fascists were condemned to forced residence within police deadlines. The number of persons thus restricted is said to be 522. It is reported that Premier Mussolini has ordered

that an allowance of 10 lire a day be granted to each of the restricted anti-Fascisti who has not the means of supporting himself within the deadlines, in addition to the 2 to 4 lire daily usually given common criminals kept within specified districts.

Within the party, however, a step has been taken in the direction of more democratic methods. According to one of the new statutes local leaders are ordered to accord to the members unlimited right of free discussion. But it does not imply granting actual voice in the control of the party. This is exercised as heretofore by Mussolini. It does, however, mean a compromise with democracy, a compromise urged, it is said, by Farinacci, the former Secretary General of the party, who maintained that without it there would be a loss of the whole-hearted support of the masses, which might be fatal to the party.

Meanwhile Mussolini is studying important modifications of the regulations governing the militia. The present militia, comprising about 190,000 men, is an outgrowth of the Fascisti who marched on Rome in 1922. It was officially created Jan. 14, 1923. Its duties are to assist in the maintenance of internal order and to prepare citizens for the defense of Italian interests in the world.

As for his own safety Mussolini refuses to protect himself by seclusion from further attempts at assassination, and continues to show himself in public at every opportunity. "It is the duty," he declares, "of a generalissimo who preaches the doctrine 'Live dangerously.' Risk should not be the spice but the staff of life for a weak nation which dares hope to be strong." But although he does not shut himself off from the people, under the new law additional steps have been taken for his protection. Whenever he is in range of danger every man, woman and child suspected even remotely of opposition to the present régime is closely watched, police agents and soldiers mingle with the crowds and the most rigid cordons prevent any one coming near him. His own confidence, judging from his reported words, appears to be less in the physical protection with which he is sur-

rounded than in his own destiny. "I am confident" he repeated on several occasions, "that nothing and nobody can harm me until my task is completed."

SPREADING ITALY'S CULTURE

A part of his task Mussolini conceives to be to spread abroad the culture of Italy. To this end the Italian Government established a State University for Foreigners at Perugia. Since its opening on July 25, 1926, it is reported to have been attended by several thousand students. Senator Giovanni Gentile was appointed head of the institution and courses on the following subjects were inaugurated: Italian Institutions, Italian Painting, Italian Literature, Italian and Etruscan Archaeology, Italian Geography, The Trend of Italian Thought, Italy's most Ancient Civilization, Characteristics of the Italian Landscape, Italian Foreign Policy from 1870, English Influence in Italy. Elementary courses in the Italian language were also arranged for. The professors were chosen from among the best known members of the Faculties of the Italian universities and additional lectures were given by men dis-



SWELLED HEAD

Mussolini: "It is still too small for me."
—Le Carnet de la Semaine, Paris

tinguished in the fields of contemporary Italian art, letters, science, and politics. Mussolini himself delivered a lecture on "Rome's Ancient Sea Power." In order to facilitate attendance, foreigners were admitted without being required to present academic degrees, and provision was made for reduced rates on railroads and free admission to picture galleries and museums.

Another feature of Mussolini's program is to make the University of Rome the centre of higher education in Italy. The Government, it was announced, had already granted 20,000,000 lire for repairs in its buildings and for new constructive work.

Further, plans are under way, sponsored

by Italian Fascist intellectuals, for a special school for the training of leaders. The proposed scheme provides for a school, to be semi-military and semi-scholastic in character, with a curriculum based on science, politics and the art of government. The choice of candidates would be exclusively in the hands of Mussolini, from lists presented by local Fascist leaders and by legion commanders. The course of study would stress Roman and Italian history, especially the periods of dictatorial power and early in the program opportunities would be given to hold minor offices, thus to test the competency of the students for leadership in various lines.

Rumania's Dynastic Crisis

By FREDERIC A. OGG

Professor of Political Science, University of Wisconsin

AFTER a ten-thousand-mile tour of the United States and Canada, Queen Marie and her entourage sailed for home on Nov. 23. The overland trip was marred by bickering among members of the party who acted as hosts or patrons, or were ambitious to do so, and there were hostile demonstration by Socialists or other radicals in Chicago and one or two other cities. Nevertheless, the royal visitor departed saying that the experience had been enjoyable and that she hoped to return at some future time and see the country in a more thorough manner.

The real object of the visit was, perhaps, no clearer than when the project was first announced. The Queen repeatedly said, and no doubt truthfully, that she was gratifying a strong personal desire to see what America is like. It was also said in her behalf that she wanted to contribute something toward "putting Rumania on the map." Her country, it must be confessed, has not been much known in the United States, nor known altogether favorably; and though a royal visitation can hardly be relied upon to stimulate trade relations, which—so far at least as direct commerce

goes—are now decidedly scant, thousands of people have at least had forced upon their attention a country of which they hitherto had hardly more than heard. The suggestion was frequently made that the purpose of the trip was to create an atmosphere favorable to the procuring of a large loan from American banks. This object may well have been in mind, although no overtures on the subject appear to have been made. Rumors of a loan were naturally recurrent in Bucharest, but Great Britain and Germany were mentioned as sources almost equally with America.

Although denying that she had been asked to return home on account of the illness of King Ferdinand, the Queen admitted her concern at the reports that reached her and not only cut short her visit by several days but entirely withdrew from social activities before her return to New York. After her departure, conflicting rumors about the King's physical condition filled the press, and although the most sensational ones proved false, it seemed to be clear that the monarch, who has suffered from a blood disease for many years, was in a condition fairly to be de-

scribed as desperate. Specialists were summoned from Paris and other steps were taken which appeared to indicate that those who knew the real situation believed the end to be not far off. Later reports were more optimistic.

Under these circumstances public interest turned feverishly to the question of the succession. By law of Jan. 4, 1925, which accepted Carol's renunciation of his rights, the heir to the throne is the child Michael (Mihai), son of Carol and Princess Helen of Greece; and a council of regency is provided for, consisting of Chief Justice Buzdugan of the Court of Cassation, Miron Christea, Patriarch of the Orthodox Church in Rumania, and Prince Nicholas (brother of Carol), who attended Queen Marie on her recent American trip.

With the King fatally ill and the Queen absent, however, parties and groups and leaders occupied themselves day and night with discussion of the succession, and it was by no means assured that the law would actually be carried out, or that, if carried out initially, the arrangement for which it provided would be allowed to stand. There were two principal disturbing factors. One was the self-exiled Carol. Missions were sent to interview him in Paris, and he was easily induced to declare publicly that he would return to Bucharest with a view to resuming his former rights if it appeared that there was any popular demand that he do so. And although the reconciliation between the Queen and her truant son on the eve of her departure for America was stated to be purely personal and without bearing on the succession, that widely advertised episode was naturally regarded as at least a possible first step toward reconciliation.

Notwithstanding, however, that Carol continued a favorite with the army and had the support of the strongest single popular force in the country, the United National Peasant Party, the chances of his being recalled seemed not particularly good. His affair with Mme. Lupescu was being continued, and most of the party leaders were disposed to agree that a prince who had renounced his rights and deserted his wife and son was not quite the kind of a person who, as king, might be looked to to bolster

up a somewhat tottering dynasty. To most men of influence it seemed best to permit the law to be carried out and the five-year-old Michael to ascend the throne.

Even so, there was, however, grave doubt about the regency. By the law of last January no place was assigned to Prince Michael's mother, Princess Helen, who, in point of fact, enjoys the sympathy and confidence of all parties and all elements of the people in a greater degree than any other person in the entire situation. Should not she, it was asked, be made Regent, ruling with the advice and aid of the council already mentioned? The difficulty with this plan, however, was that Queen Marie could pretty well be depended upon to make trouble, since it is believed to be her ambition to retain her dominant position even in event of the King's death; at all events, it would require delicate negotiations to reconcile her to seeing the power slip from her own hands into those of her foreign daughter-in-law.

On Nov. 30, however, this strained situation was relieved by King Ferdinand's issuance of a proclamation affirming his return to health, stating his resolve further to govern his kingdom, and calling on the "statesmen of Rumania to build a wall around the throne against those who would undermine the dynastic foundation of constitutional monarchy." Meanwhile, Queen Marie arrived in Paris and on Dec. 1 had a secret meeting with Prince Carol. She then left for Bucharest, having received a letter from the King urging her speedy return, though reports continued to confirm his improving health. On Dec. 3, Jono Bratiano, known as Rumania's "invisible dictator" summarized the situation in an interview for the press as follows: King Ferdinand has every expectation of reigning for years to come. He has reaffirmed his intention to recognize Prince Carol's abdication in favor of his infant son as final. The composition of the Regency will remain as it is at present. In the event of Ferdinand's death, Queen Marie's position would remain exalted and authoritative, but in accordance with her own desire, she would not become a member of the Regency as it would be counter to tradition and would expose her to political attacks.

Nine Years of Soviet Rule

By ARTHUR B. DARLING

Assistant Professor of History, Yale University

TO American observers, the most significant happening of the past month was the release of a statement, with respect to economic conditions in the Soviet Union, by the Russian Information Bureau, the agency of the Soviet Government in Washington. As the official view of the situation in Russia the statement is worth quoting at length:

The Soviet Union enters upon its tenth year since the Revolution with the monthly figures of industrial production approximating those of 1913 and showing a steady monthly gain. Five years ago the monthly output was less than 15 per cent. of that of 1913. The recovery has been particularly rapid during the last two years with the exception of a slowing up during a period of financial stringency last Winter. For the Soviet fiscal year ending Sept. 30 the value of industrial production was 41 per cent. greater than during the fiscal year 1924-1925. State industry yielded a net profit for the year of \$231,750,000.

Reports of the harvest received thus far indicate a grain crop in the neighborhood of 2,800,000,000 bushels, or about 225,000,000 bushels greater than last year. This is close to the harvest of 1913, an average pre-war year, in the present territory of the Soviet Union. The technical crops, including cotton, sugar beets, oil seeds and potatoes, are well above the pre-war average, with the exception of cotton and sugar beets. Prolonged droughts in the cotton belt reduced that crop below last year.

The foreign trade turnover for the last fiscal year over the European frontiers was \$648,642,500, an increase of 13 per cent. over the previous year. The adverse balance for the year was \$44,341,500. During the last quarter, however, imports and exports were virtually balanced.

The average daily freight car loadings during August (the latest month available) were 24,866 cars, as compared with 19,875 cars during August, 1925, an increase of 25 per cent.

The output of some of the industries for the last fiscal year with the comparisons of 1924-1925 and of 1913 follows in thousands of metric tons:

	1925-1926.	1924-1925.	1913.
Coal	24,302	16,107	28,358
Oil	8,348	6,950	9,205
Pig iron.....	2,200	1,304	4,206

	1925-1926.	1924-1925.	1913.
Martin steel.....	2,877	1,865	4,247
Rolled iron.....	2,130	1,335	3,509
Cement	1,286	716
Sugar	1,050	451	1,513

The textile industry showed an output 30 per cent. greater than that of 1924-1925. The number of workers employed in State industries increased from 1,653,501 on Sept. 1, 1925, to 1,931,487 on Sept. 1, 1926. Real wages increased 16.7 per cent. during the year.

Oil exports for the year were 1,450,000 tons, breaking all Russian records. The pre-war average was about 900,000 tons.

Electrification made notable progress during the year. In 1917 electric power stations engaged in general public service had a total capacity of only 394,000 kilowatts. This year they were brought up to nearly 1,000,000 kilowatts. During the Summer electrical equipment for 200,000 kilowatts additional was ordered in Germany and for 100,000 in France and England.

Those who are disposed to favor the régime of the Bolsheviks and to wish them well in an endeavor to reorganize the structure of Russian society will regard the figures presented in this statement as showing the beginnings of economic stability and promising future prosperity for the people of Russia. Some who hold to Communist principles will see evidence that the time is approaching when peace and economic stability will afford the Communists the proper opportunity for applying their principles to the problems of Russia; for they can argue with some reason that chaotic conditions during the World War made a fair test of Communist principles practically impossible.

Others who are by no means Communists will regard these statistics as an indication that the Soviet Union is on the eve of a period in which it can accumulate the capital necessary to the effective expansion, control and operation of the State agencies for the manufacture and distribution of the goods so vital to the peasants. To the observers who examine the figures in this light, it may seem possible that the

Soviet authorities—no matter whether they talk in terms of Communism—will find the solutions of Russia's problems in the application of nationalistic principles; and that nationalistic measures will arouse the peasants to consciousness of their strength, stimulating them to demand more and more participation in their own Govern-

Those American observers, however, who are antagonistic toward the Bolshevik régime will be prone to say that, before releasing the statistics in Washington, the Soviet Government carefully withheld tell-tale figures and manipulated the remainder so as to serve the purposes of Stalin's administration, both to disarm foreign critics



THE TROTTING OF TROTSKY.

—Editors' Feature Service.

ment. And, as the dispositions of the peasants are highly individualistic—for their determination to hold as their private possessions the lands taken from the Czarist Government has long since forced the abandonment of Communistic farming—they are likely to force their way into control of the representative system of Soviets, by its nature a democratic structure; they are likely to break down the despotism of the Communist Party.

and to discomfort the opposition at home. Americans of this opinion will discount the statement of the Russian Information Bureau and give more credence to the reports from Moscow of Trotsky's defiant remarks in defense of his opposition to the policies of Stalin. Speaking before the Communist Party Conference on Nov. 6, Trotsky declared: "Rykov claims that the country has reached the pre-war produc-

tion in almost every industry. But I say that not only do we not approach the pre-war level, but the population is much worse off now than then."

The time certainly has not yet arrived when historians can pass judgment upon the Bolshevik experiment in Russia. But American observers of the present time,

whatever may be their points of view with respect to the existing order in Russia, must appreciate that the Soviet Government is entering its tenth year in control of the Soviet Union. It is not beyond possibility that the time is approaching when the burden of proof will rest, not upon the Soviet leaders but upon their critics.

Spain Discussing New Parliament and Reorganized Army

By JOHN MARTIN VINCENT

Professor Emeritus of European History, Johns Hopkins University

TWO important and difficult questions are occupying the attention of the Spanish Government. One is the financial situation which requires a drastic cut in the expenses of the State, to effect which a large reduction in the size of the army is proposed. The other concerns the calling of a new National Assembly, the nature of which continues to be a puzzle. It may be that by the time this is printed these enigmas will have been solved, but the postponements of the date for the convocation of the new Assembly indicate that difficulty is being encountered in devising a basis for a legislature. It was first called for October, then for November, and now has been deferred until the new year.

In the meantime the Prime Minister will endeavor to work out some plan by which the Spanish people may have a representative body which shall not resemble too closely the Parliament which was abolished by the Dictatorship. He has made too many bitter comments upon the futility and corruption of that institution to be expected to revive much of its forms or prerogatives, but up to the time of the last postponement he had made no complete statement of the basis of representation. Only an utterance here and there shows what is in his mind, such as the proposal that forty seats should be reserved for representatives of the working classes.

The Government censorship has been permitting the Spanish press to publish opinions on the proposed Assembly and numerous articles by the old conservative statesmen have appeared. The correspondent of The London Times in a résumé of the situation gives extensive quotations from these opinions, and as the exact expressions of Spaniards themselves are naturally of more weight than the views of outsiders, they may be quoted here to show the character of the discussion.

A former deputy, Don Julian Besteiro, a professor of law and Socialist leader, declares that as soon as the convocation of the Assembly is announced the General Union of Workers will hold a congress to decide upon a line of action. They consider it essential that their delegates to the Assembly shall be freely elected by their own associations or unions.

A former Minister of Finance, Don Francisco Bergamin, believes that it would be a misfortune if the so-called National Assembly should be merely a consultative body without legislative functions. He asserts:

It would be regrettable if the duration of the Assembly should be fixed for three years, especially if its labors were put into force by the executive, for this would be a disguised form of legislating without the Cortes and would give a permanent character to the Dictatorship, which all agreed was only to be transitory. I can only be a monarchist in a constitutional monarchy.

This is the voice of one of the most experienced, moderate and highly respected of King Alfonso's former advisers.

Count Romanones, advanced in years but full of activity, gives one of the most outspoken opinions. He says:

It is not surprising that the announcement of an Assembly after three long years of suspension of the only really National Assembly, the Cortes we have always defended, should put us on our guard. The origin of the powers conferred on the new Assembly is a capital point. The essence of the Constitution consists in the existence of an Assembly rooted in the will of each citizen by the side of the King. The constitutional régime is the result of a pact between the King and the people by which each accepts co-sovereignty with the other. Should the Assembly (Cortes) cease to be the genuine representation of the people, sovereignty disappears, the constitutional pact is broken, and the relationship between governors and governed reverts to the old condition of sovereign and vassals. The monarchy ceases to be constitutional and becomes absolute in a form more or less attenuated. The executive power cannot legitimately be separated from the sovereign Assembly, except in a republic, where the people designate the Chief of State.

After discussing the constitutional situation at considerable length the writer closes with this prophecy:

My faith is unbroken; * * * the fashion will pass of confiding the salvation of the country to a tutor who governs as if the nation were not yet of age or were mentally deficient. History furnishes instances of nations suffering from transitory maladies, but I know of no nation resigned to perpetual minority. Sooner or later it wakes up to the fact that it is the only arbiter of its destiny, and the constitutional régime is brought back with or without a monarch. * * * I pray God I may live to see that day.

These articles have not lacked a reply from General Primo de Rivera. His statement fills nearly two columns of the conservative journal A. B. C. and is in language which must scorch his opponents and irritate even some of his sympathizers. After remarking that, however prudently conducted, dictatorships are nevertheless dictatorships, and imply the faculty of lawmaking by virtue of existing executive powers, he goes on to say that on Sept. 14, 1923, the Constitution might have been replaced by a single article in the Constitution of 1812, reading:

"All Spaniards shall conduct themselves honorably and like good citizens, and the Government shall strive to govern and administrate as God ordains, as long as is necessary to cut away the carrion flesh of 'boss' rule (*caciquismo*), reform evil customs, do away with rogues and bullies, and re-establish the principle of authority and reassert national prestige. * * * Should the Government flinch in fulfilment of its duty, or become corrupt, then the King, the country and the Army shall withdraw the powers bestowed and demand the strictest account."

As this is all that is necessary and all that public opinion demands, it is out of place that those who made the existence of the Constitution compatible with all sorts of illegalities should be now primly voicing constitutional niceties.

The Government duly appreciates the efficacy and help of councils, assemblies and consultative bodies, and desires to have yet one more of a general character, composed of class representatives, elected or appointed in such manner that their representation and independence shall not be a fraud. The powers and functions of this Assembly are at present under consideration. Possibly it will be authorized to ask Ministers for explanations of their acts, and perhaps be invested with powers of initiative and criticism of bills; but in no way shall the Assembly be allowed to participate in the sovereignty exercised by the King and the Government, which will continue the Dictatorship with moderation. This concession may appear small to those who desire much, but many honest Spaniards have told us that they consider it premature and excessive. It is undeniable that the Assembly is a step forward, and its existence can do no harm, seeing that it will be composed of cultured and honorable men who, should they see the Government enter a path of error or licence, would be in a position to indicate their disapproval (by not coming to the Assembly) in a manner so clear that no Government, and least of all this Government, could fail to understand.

May our cocksureness and boasting be forgiven us, but we are certain that on no day does the sun go down without our having done some small service to the country. We know that 99 per cent. of Spaniards, free from fallacies and political passion, who are not spurred by the desire to get back to the booty formerly distributed between the loafers, fast-livers, bullies, black-mailers and birds of such feather, daily pray God that we shall continue to govern in spite of mistakes, unfortunately not lacking, and despite the wearisomeness, for a trivial and heedless world, of so much administration and exemplariness and so little gossip. Truly, politics without crises, intrigues, traps or personal ambition is something

so insupportably boring that it seems impossible that the good Spanish public should not protest.

How this advisory assembly will be constituted does not appear from this, and the ardor of the language has not pleased all the friends of the present régime. The journal A. B. C., which has been a loyal supporter of the Dictatorship, calls upon the Prime Minister to convoke nothing less than the Cortes Constituyentes, the supreme representation of the nation, only invoked in the hour of the greatest peril, the only authority that can legally decide on a reform of the Constitution or a new apportionment of the four powers forming the Spanish State.

That there will be any effective resistance to the Government program, whatever is announced, appears to be unlikely owing to the general political lethargy of the people at large. Señor Salvador Mingujón, writing in *El Debate* recently, is quoted as saying: "Although it is a sad confession to make, impartial observers must admit that Spain has no choice but to follow the Government's lead. No serious or worthy opposition has arisen, nor has any thoughtful or sustained expression of opinion grouped around itself forces to whom the country could entrust its destiny."

THE NEW SPANISH ARMY

The proposed economies in the military forces of the country include a reduction of the army of the first line to 150,000 men, which is less than half of its present strength. The military academies would be closed, but the manoeuvring of troops under constant instruction, with all the necessary elements, would serve as a school of instruction both for officers and for recruits who would go later to fill up the forces ready for mobilization in war.

This form of organization permits a reduction of the estimates from 1,000,000,000 pesetas to less than 400,000,000 (about \$60,000,000). Under it, arms, aviation, modern artillery and a well-equipped infantry would be supplied, and all troops and auxiliary services kept ready for an emergency increase of the war strength to 2,500,000 men. The estimates reduce the cavalry by abolishing eight of the existing regiments, and more than twenty of the one hundred regiments of infantry, while the auxiliary troops are cut nearly in half. Aviation alone would be increased with a view of assembling, if possible, a thousand airplanes of different classes. At present the army has only about four hundred in working order.

In command there would be but one captain general, eighteen lieutenant generals, and the number of lesser officers all down the line would be greatly reduced. Promise is made that reduction in rank would be made without prejudice to the interests of the officers concerned, but it is clear that a large number are liable to be thrown out of employment or suffer in position and influence. Consequently there is naturally a strong aversion to this program on the part of the army. This element has always been an aggressive and well-organized force in Spanish politics, at times practically dictating the action of governments. Recently the artillery was disciplined for insubordination and supposed conspiracy, and, although given a chance of repentance by signing the articles again, has shown little inclination to support the Government. Should this attitude be taken by other branches of the army the position of the Dictator would be seriously compromised. Conditions like these make the world look forward with interest to what may develop during the month of January.

Turkey's Conflict Over Eastern and Western Ideals

By ALBERT HOWE LYBYER

Professor of History, University of Illinois

The meeting at Odessa in mid-November of the Turkish Foreign Minister, Tewfik Rushdi Bey, and the Soviet Foreign Minister, Tchitcherin, gave rise to an abundant crop of rumors as regards the object of their conference. The most persistent of these maintained that an Asiatic League of Nations was in process of formation, which would be joined also by China, Persia and Afghanistan. Like true diplomats, the personages concerned published no summary of their conversations. The Turkish representative merely announced that Turkey and Russia had reached diplomatic concord, and added: "Turkey does not favor any Western State to the detriment of any Eastern State."

According to a rival rumor Tewfik Rushdi Bey was discussing with Tchitcherin how Turkey might enter the existing League of Nations without violating her agreements with Russia. This theory, while not necessarily excluding the former one, is distinctly the more probable because a long series of actions on the part of Mustapha Kemal Pasha and the members of his Government reveal an intense and persistent pressure toward the rapid westernization of the country.

The practical philosophy which lies behind the conduct of affairs of present-day Turkey is revealed clearly in *The Book of Mustapha Kemal*, by Abel Adam, which was published in the Turkish language at Constantinople during the present year.¹

The main theme of the work is a "comparison of mentalities" and a demonstration that the old Moslem and Arabian mentality of the Turks should be utterly done away with, and replaced by the

modern European mentality. The author says in his introductory pages:

The mentality of Europe is the mentality of this world; while we live in this world, we act by it. The mentality of Asia is the mentality of the next world; in the next world we shall act by it. * * * The nations which live at the present time are all on the west of us, whereas the East represents a series of nations whose rights to live have not been recognized. * * * It is the West that represents the happiest life, the strongest state organization, and the truest human life. We must learn their art of living. * * * Our colleges had one logic, one mentality only; i.e., to deduce everything from the religious books; whereas the Western mentality sees life with the human eye and organizes its life accordingly. We must know that the two cannot agree. * * * We have tried to compromise between the two, but the compromise has been impossible. * * * We have not faced these facts squarely. * * * This is the danger for the Republic.

In this argument the author considers that he has explained the comparative failure hitherto of Turkish reform movements. These have attempted a compromise between the old and the new, and the result has been chaos.

Proceeding with a discussion of the Eastern or Asiatic mentality, Adam says:

The Asiatic peoples have never been saved from poverty and misery by the habit of deducing judgments from the divine laws. * * * You find the divine command interfering with the most private affairs of a person and directing all phases of social, economic, commercial, scientific and administrative activity. These commands are the commands of God, and consequently they cannot be changed or modified, therefore as soon as they turn obsolete, you find another prophet coming with new commands. * * * The most interesting thing is that every prophet has sought to ignore this life and to burn with a love of the next life. This is the meaning of the Nirvana of Buddha and the Paradise of Islam. This men-

¹The writer acknowledges his indebtedness to Rev. Ernest Pye and his Seminar in Islamics at the School of Religion in Athens for a review of this book, which includes the quotations cited.

tality has at the same time killed critical thought and dulled the intellect. * * * Islam, besides its religion, has popularized the Arabic social life everywhere and has obliged the peoples to accept, not only its God and its religion, but Arabic family life, Arabic social life, Arabic character, Arabic customs and in part the Arabic language. * * *

The mentality at the base of such teaching may be analyzed as follows:

I. Truth cannot be discovered by reason, but by tradition.

II. Life must be administered not through the human principles discovered by the human instinct, but by the divine laws which are unchangeable and rigid.

III. This world is passing, but the next world is everlasting.

IV. To ascribe everything to fate or destiny.

V. To reject national life and to remain bound to religious traditions.

VI. To pay absolute homage to a spiritual head.

This iron cage has not left any possibility for the salvation of the Asiatic peoples. This mentality has been really an attempt to kill life and humanity. * * * None of the prophets has been able to bring a message for the invention of machinery, electricity, steamships, airplanes, wireless telephone or medical formulae for the cure of cancer and other disease. We know today that the things that ought to be brought from the unseen world and to be taught to people are such sciences. In the history of Asia there never has appeared such a saint or madman. * * *

Examine the governments and the history of a people which has had this mentality, and what will you see? A despotic and immoral king with the title of the Shadow of God, and a palace in the form of a public house filled with slaves; then a big group of miserable people devoid of life. * * *

Whatever Europe has tried to do with the aid of the positive sciences, the Asiatic peoples have tried to do with hymns, prayers, magic and spirits. * * * Religions in the history of Asia are nothing else but reactionary movements of the jealousy of new prophets to each other. *In a sense they are all the same.* The teachings of Buddha, Confucius, Brahma, Moses, Jesus and Mohammed are all the same; they differ only in details. * * *

Asia has been dominated by this mentality and it has no capacity within itself to change this mentality. Salvation can only be secured by the vaccine of the European mentality. * * * Some think that this superiority can be secured by the adoption of the technical things alone. This is impossible. * * * The Asiatic mentality must be rejected totally and the European mentality

must be adopted totally; there is no other way of salvation.

Adam discusses next what he calls the *Medresseh* or "college" mentality in Turkey. He describes in no flattering terms the former Ottoman organization. He pays the compliment to the mysticism of the dervishes, of crediting them with the preservation of a certain amount of national feeling. He believes, however, that the Ottoman Sultans all too soon took up the methods and ideas of the colleges of Bagdad. The author shows no fondness for the Koran, "that black covered Book which was in Mecca before Bagdad."

It is the black Book and its knowledge has dominated in Turkey for 600 years. It has controlled the intellectual, literary, social, scientific, political, administrative, civic and all phases of the Turkish life. Turkey spent all its income on the colleges, and what was studied there? There was no study of the Turkish language. * * * The Arabic language was the foundation. * * * There is no more shameful thing in our history than the acceptance of such an Arabic educational policy by the Ottoman Palace. * * *

The colleges established a divine science based upon peculiar interpretations of the traditions and the virtues of the Koran, and anathemized all those who endeavored to get out of this circle. * * *

By misinterpretations, it [this science] severed women from social life and allowed polygamy. * * * This seclusion of women made it impossible for people to act collectively in any sphere of life, and consequently it sterilized our economic and commercial life. * * *

We began by and by to feel that it was impossible to direct human affairs by such otherworldly knowledge, so the Revolution came.

Then follows a chapter of the mentality of the Ottoman Reform. Adam feels that the attempts at reform in Turkey lacked reality because they did not spring from the people. They were merely attempts to save the country by the artificial introduction of European political ideas. Imitating the French Revolution, which had no need to reform the established family life of Western Europe, the Turkish reformers left untouched the unsatisfactory family life of Turkey.

The reformers tried to strike a compromise; close by the *Medressehs* they set modern schools, beside the religious courts they established new civil courts. * * * To be Islamized, to be

modernized, and to be Turkified, was the policy of the compromisers. This compromise was impossible. * * * The only course was that of modernization, and this could only be achieved through a Revolution.

The author then takes up the positive part of his argument in discussion of the European mentality. He follows the thread of history through the Greco-Roman civilization, the appearance of Christianity, the rise of the Papacy, and the Protestant Reformation. He finds in the French Revolution the discovery that truth is rational.

The Revolution removed religion from the seat of power and left it only in society. * * * This resulted naturally in nationalism. The French Revolution was for the whole of humanity, but it ended in nationalism. * * *

No Revolution can allow freedom to its enemies. Personal freedom came after the Revolution. Therefore we cannot allow reactionary movements at the present time; otherwise the Revolution cannot succeed.

The last sentences quoted set forth very clearly the doctrine which underlies the recent trials and executions in Turkey. They suggest that the name "Mustapha Kemal's Book" is accurately applied to this treatise. The writer proceeds to an analysis of European civilization.

The European civilization is based on three great foundations: First, the rights of man; second, national culture; third, national economy or finance. The Turkish Revolution also shall be based on these three foundations. * * *

1. *The rights of man.* Every citizen is born free and is free. * * *

a. *Individual liberty.* This is limited by those things which a person does not wish to be done to himself by others. * * * Without personal liberty, liberty of conscience, and liberty of thought and press, no civilized nation can begin and grow. * * * It is certainly useful to accept the European law as it is, but if we do not have the idea of rights which has given birth to those laws, or if we do not have the plane of life of those men who have promulgated the laws of Europe, the life of those laws becomes short. * * *

b. *Family life.* * * * Life has given neither a bigger right to man, nor has given less to woman. * * * Men and women are free individually, and marriage is an association formed by the uniting of their rights together willingly, and divorce is a cancellation

of that association. * * * This mentality naturally rejects polygamy.

c. *Freedom in the Government.* This is democracy. * * * The interest of the public is not for the detriment of the individual, and the interest of the individual is not for the detriment of the public. * * *

2. *National culture.* European civilization acts on the principle of nationalism; we must also do likewise. No nation recognizes the rights of other nations, or shows mercy or runs to help others. * * * The European civilization is neither a Christian internationalism nor a Christian community. Such old institutions are excluded from European thinking. * * * So we see an English type who is willing to kindle the whole world in order to light his pipe. All European powers are like that. We the Turks shall also be so. * * * Today there is no humanitarian mentality and therefore we cannot act on humanitarian logic.

The paragraph just quoted does not constitute pretty reading for a Westerner. Is it thus we appear in the eyes of those who are seeking to imitate us? How far is the picture true?

3. *National Economy.* The lever of modern civilization is national economy. * * * It is found only in the family of European nations and is the result of European mentality. It is the outcome of mining crafts and engineering.

Herein appears an unexpected limitation of the Western conquest of nature. Proceeding further the author makes it clear that he is by no means under the influence of Soviet ideas.

If communism had been realized in the time of Jesus it would have satisfied fully the needs of those peoples, but it would have kept society in a primitive state always. Christianity has followed the principle of producing only as much as was needed for consumption. The present economy is just the contrary. It is not based on the principle of producing as much as can be consumed, but of consuming as much as can be produced. * * *

Besides this the governments have been obliged to control the raw materials essential for manufacturing in different lands. This was the chief cause of the great war. So the great powers feel anxious and are trying to unite and to show a united front against the Asiatic and African peoples. This, however, will not be possible. * * * The end will again be a catastrophe.

The European civilization is this organization. * * * It is not important for us to know whether it is civilized or barbarous. Human life

is such at the present time. The duty of Turkey is to enter this family and to establish equally Turkish rights, Turkish culture and Turkish economy based on mining crafts. Life is logical and tragic, but it is plain.

A reference to the League of Nations as ridiculous and laughable does not agree with the alleged earnest efforts of the Turkish Government to be admitted to the

League. The whole treatise, however, indicates an uncompromising and remorseless process of abandoning the old ideas of the Turks, and adopting what are believed to be the ideas of the Western civilization. It may be inferred that if Turkey is moving toward alliances with Asiatic nations, her aim is not to easternize herself, but to westernize her allies.

Progress of the Civil War in China

By QUINCY WRIGHT

Professor of Political Science, University of Chicago

DURING 1926 China has occupied a great deal of space in the press because of the dramatic course of the civil wars. The present tendency of military and political events is toward a decline in the power of Peking and a rise in the power of Canton. The Kuomintang—the People's Party, founded by Dr. Sun Yat-sen—has now moved its headquarters from that city to Wuchang on the Yangtse from which it controls the Southern and Central Provinces of Kwangtung, Kwangsi, Hunan, Kweichow, Hupeh, most of Kiangsi and part of Honan. The great Western Province of Szechuan is sympathetic and revolts in its favor have been reported from Fukien, Chekiang and Kiangsu. Kansu and Sinyuan Provinces adjacent to Mongolia and part of Shensi are controlled by General Feng Yu-hsiang, who is associated with the Kuomintang. Thus the policy of the organization now seeking recognition as the Government of China is important. No one is better able to state it than General Chiang Kai-shek, to whose military ability the recent advances of the Kuomintang are in part at least due. In a statement made on Nov. 21 he said:

The present revolution will not end until extraterritorial rights and concessions and unequal treaties have all been abolished. After the success of the present revolution in China all treaties with all powers will be abrogated instantly, and China will refuse to recognize any treaties what-

soever made with any powers by former Governments of China.

The conquering of the Northern Militarists is but a step in the revolutionary army program. We must instantly remove extraterritorial foreign concessions, put an end to the foreign supervision of customs, and to the foreign postoffices.

We positively will not agree to gradual abolition of extraterritoriality over a period of years or await readjustment of China's law courts, but we must abolish before the revolution ends foreign judicial jurisdiction.

This revolution purposes the downfall of imperialism, not as it is confined to China alone; our opposition to it must spread to other countries under imperialist yoke.

The denunciation of the Belgium treaty by Wellington Koo (Minister of Foreign Affairs in the Peking Government) meets our approval. We are willing now to enter into treaties with the powers on an absolutely equal basis, considering at present that no treaties exist, as all are unequal.

Within this month we will have established the capital of China at Wuchang, removing the Government bureaus there from Canton.

China will have a committee form of government.

Our attitude toward America is friendly, but we consider America imperialist, because she has not given the Philippines their freedom. Any country holding territory outside its natural boundaries has an imperialist nature and must relinquish claims to such territory.

The new Government will not interfere in the activity of missionaries in China. We have no quarrel with Christianity, and no antipathy toward the missions.

The powers who are willing to abrogate all

former treaties, and return their concessions and offer recognition to China on the basis of equal treaties, will show a friendly spirit toward and be recognized by China. Recognition of the other powers who are unwilling to take this action is not essential to China, and such recognition is not wanted.

Cooperation already has been established with General Feng Yu-hsiang for a drive against Peking soon, General Feng having joined under our command.

It is our intention to continue the revolution immediately over the entire country—not limiting it to any particular territory.

Whether this ambitious program can be carried out remains to be seen. Chinese nationalism seems on the whole to favor the Kuomintang at the same time as the Chinese people are tired of civil war, as are the Chinese diplomats abroad. Thirteen of them recently sent a joint telegram to the militarists in China urging them, for the sake of China's international standing, to stop fighting and allow a popular convention to meet and settle national affairs. The success attained by the Kuomintang has given many the hope that it may eliminate its rivals and put an end to civil war.

The attitude of the Kuomintang toward foreign privileges in China, as indicated by this statement, is not likely to win favor from foreign Governments, already suspicious of its close contact with Soviet Russia. Nevertheless, it appears that the unequal treaties are in fact being whittled away without violent foreign reaction. China has denounced the Belgian treaty, and the two powers are now discussing whether the case will go before the Permanent Court of International Justice, as suggested by Belgium, or before the League Council, as suggested by China, on Nov. 22. Though the Customs Conference failed because of the breakdown of the Peking Government, Canton has in fact ignored the tariff treaties by collecting taxes equivalent to customs without formal protest, and it is reported that General Chang Tsung-chang is following Canton's example in Shantung Province. Although the extraterritoriality report is unfavorable to any relaxation of this régime, the rendition of the mixed court at Shanghai and the disappearance

of German and Russian extraterritoriality perhaps point to a tendency.

CANTON GOVERNMENT RECOGNIZED

Furthermore, certain incidents point to *de facto*, if not *de jure*, recognition of the Kuomintang. The British dealt directly with the Cantonese authorities in reference to the Hongkong boycott, and the breakdown of Government in Peking is gradually forcing the powers to deal directly with the authority in control in each area. In spite of property losses, "incidents" and treaty violations the powers have not embarked upon a policy of intervention, though their gunboats have occasionally indulged in hostilities, sometimes, as in the bombardment of Wanh sien, of a rather serious character.

Not only has the Kuomintang profited by non-intervention, but it or its professed policy has won friends abroad. Apart from Russia, where the Communist International on Nov. 21 declared that "the basis of further revolutionary development must be extension of the influence of the National Government of Canton," there is the still embryonic Pan-Asiatic movement which is periodically reported to have been given an impetus by either Turkey or Japan at opposite ends of the continent of Asia. Turkey was reported on Nov. 11 to be forming an Asiatic League of Nations to combat Geneva, and Japan was reported from Moscow on Nov. 26 to be secretly negotiating with Canton through Baron Matsura, though the prevailing opinion places Japan behind Chang Tso-lin.

The missionaries support much of the nationalist program. The National Christian Council, whose members represent most of the Protestant missions in China, recently passed resolutions "that the present treaties between China and the foreign powers should be revised on a basis of freedom and equality." To similar effect, Senator Borah, Chairman of the United States Senate Foreign Relations Committee, took issue with the statements of Silas Strawn, who attributed China's troubles to internal disorder. The Senator said in part:

I do not see how we can deal successfully with

that situation if we persist in ignoring the facts which have so materially contributed to the turmoil and strife, the dissension and the looting now going on in China. For years foreign powers have been closing in, as it were, upon China.

China, in other words, is dominated in all matters essential to a nation's prosperity and growth by foreign powers.

The spirit of nationalism is fast laying hold upon the hearts and minds of 400,000,000 people—not nationalism as it has always existed there, but nationalism as Western nations have practiced and taught it. This is a fact which foreign powers are reluctant to admit.

"China for the Chinese" has come to be the battle-cry of that vast, seething sea of humanity. It is particularly and especially the cry of the young and coming generation.

This spirit of nationalism was augmented and stressed by the World War, and it is today the most tremendous fact in the life of the Chinese people, a people who constitute one-fourth of the population of the earth and occupy an area larger than that of the United States.

China is asking for the right of self-determination. The Chinese believe that the great obstacle to that realization are these encroachments upon their territory of which I have spoken, this attack upon her sovereignty, which is now a matter of history. The Chinese problem at bottom is nationalism coming into the presence of imperialism.

What is the world going to do about it? The nation which, under the circumstances now existing in China, invokes the brutal policy of force in China will be the deliberate assassin of justice in the Orient for decades and decades.

We must recognize and deal with the Chinese as a great people. We must deal with them, in so far as we deal with them as a nation, upon

terms of equality. We must deal with them in absolute justice to their own rights and to their right to live their own lives, and to possess and enjoy what in all justice is theirs as a people.

National feeling in China will compel respect. Four hundred million people imbued with the spirit of independence and of national integrity are in the end invincible. There is no power which can master them or hold them in subjection. Warships and galling guns and dead students may mislead some, but the forces which determine the actions of empires and great nations lie deeper.

If, as Senator Borah seems to believe, the movement of nationalism is more important for the future of China than the doings of militarists and bandits which fill the dispatches, perhaps other elements of China's life are even more important than nationalism. Some who know China best point out that the development of education, the steady improvement in the quality of Chinese technicians, professional men and civilian leaders, the growth of the press and public opinion and the interest in social reform are of major significance. These movements, they say, go on throughout China and, unheralded by the foreign press, preserve its unity in the face of political chaos. China has never been so dependent on political institutions as other countries. Progress can go on without them. However, the observers referred to think that eventually China will develop stable government, but probably of a Federal rather than of a strongly centralized type as attempted heretofore by the republic.

Findings of the Extraterritoriality Commission

The following is the summary of the report of the Commission on Extraterritoriality in China, as issued by the Department of State:

The Commission on Extraterritoriality in China, composed of representatives of the United States of America, Belgium, the British Empire, China, France, Denmark, Italy, Japan, the Netherlands, Norway, Portugal, Spain, and Sweden, was established in accordance with Resolution V and additional resolutions adopted by the Washington Conference on the Limitation of Armament on December 10, 1921. It met in the city of Peking on January 12, 1926, and began immediately its

inquiry into the present practice of extraterritorial jurisdiction in China and into the laws, judicial system, and methods of judicial administration of China.

The commission held twenty-one full sessions, the last being on September 16, 1926, at which time a joint report was signed by all of the thirteen commissioners.

The Chinese commissioner, Dr. Wang Chung-hui, was elected honorary president of the commission. Mr. Silas H. Strawn, the American commissioner, was elected chairman and presided over its several meetings. Mr. G. Ch. Toussaint, the French commissioner, was elected vice chairman.

A traveling committee was also appointed to carry out a tour of investigation of the

courts, prisons, and detention-houses in the various provinces and of the working of the Chinese judicial system in general. This tour lasted from May 10 to June 16.

On September 16, 1926, the commissioners were able to agree upon a report consisting of 166 pages, including introductory remarks and signatures. It is divided into four parts as follows:

Part I. Present practice of extraterritoriality;

Part II. Laws and judicial and prison system of China;

Part III. Administration of justice in China;

Part IV. Recommendations.

Parts I, II, and III of the report are divided into paragraphs, each of which is given a number to facilitate reference.

Part I presents the commission's findings of fact regarding the present practice of extraterritoriality in China. Beginning with a brief historical outline of the development of extraterritorial practice in China under the treaties entered into by China with the several foreign powers, the commission proceeds to discuss the machinery set up by the several powers for the purpose of fulfilling the obligation which they had undertaken to control their nationals residing in China. The commission finds that two of the powers, Great Britain and the United States, have established special courts in Shanghai with professional staffs, that France and Italy have special judges for China, that Japan has assigned specially trained consular judges to the consulates general at Mukden, Tsingtao, Tientsin, and Shanghai, that Norway has a specially trained consular judge at Shanghai, and that with these exceptions the judicial machinery set up in China by the powers enjoying extraterritorial privileges consists of consular courts presided over by a consular officer alone or, in some cases, assisted by assessors. Only the British system provides for trial by jury.

The commission finds that as regards the jurisdiction of these extraterritorial courts it may be divided into three clearly defined types of cases (civil and criminal):

- (a) Cases in which the parties on both sides are of the same nationality as that of the court;
- (b) Cases in which the plaintiff or complainant is a foreigner not of the same nationality as that of the court;
- (c) Cases in which the plaintiff or complainant is Chinese.

In the first category of cases only one nationality is concerned—that of the competent court. In the second category, two foreign powers are concerned, the case being tried in the court of the nationality of the defendant or accused. In such cases, agreements or arrangements between the powers, or their lack, may play an important part. In the third category, the procedure varies according as the proceedings are civil or criminal. In certain instances the Chinese authorities may claim the right to send an official to be present at the trial in the foreign court, and in other instances, in civil cases only, special arrangements exist for examining cases conjointly, according to equity, representatives of the Chinese Government having the same

rights as the foreign consular representative. Cases coming within the third category are usually called mixed cases.

Attached to the report are memoranda prepared by the several commissioners describing in detail the judicial machinery set up by the several powers for the control of their nationals in China.

Paragraphs 36 to 50 are observations on the general aspects of the practice of extraterritoriality in China. The commission finds that while the system grew out of the necessity of devising some *modus vivendi* whereby harmonious relations might be fostered between China and the several powers, because of the profound difference between Chinese and foreign legal and judicial conceptions, the Chinese have come to feel that the practice of extraterritoriality is a limitation upon the sovereign rights of China. The commission finds that this feeling is due to the growth of nationalistic feeling in China, along with the rapid expansion of foreign interests in the country, bringing more frequently into prominence the anomalies of the present system. Among such anomalies the commission lists the multiplicity of courts and the diversity of laws involved, pointing out, among other things, that the extraterritorial court in which a trial is taking place has no jurisdiction over an alien plaintiff or witness, that the defendant is debarred from bringing a counterclaim against an alien plaintiff in the same court, and that several courts of several nationalities become involved when aliens of different nationalities are joined in a crime or a suit. The commission comments on the inaccessibility of the extraterritorial courts, which results in burdensome delays, expenses, and other inconveniences. It is furthermore pointed out that the trial of cases before consular judges may be unsatisfactory because of their lack, in many instances, of legal and judicial training, and of the conflicting nature of their administrative and judicial duties. A further difficulty is found in the fact that under most of the systems of extraterritoriality in China appeals from the judgment of the foreign courts must be taken to the courts beyond the territorial limits of China, a situation which is obviously unfair to Chinese litigants and sometimes inconvenient for foreigners. The commission finds that under this system foreigners are immune from the operation of Chinese regulations inasmuch as the courts of the several powers in China apply to their nationals the same laws as those in force within their territorial limits, with or without modifications. The commission points out that the power to modify such laws, without specific legislative authority in each case, is of course, limited and does not usually extend to the enforcement of Chinese subsidiary legislation (such as regulations relating to traffic, taxation, and the press). Further difficulties present themselves in connection with persons of Chinese race born in foreign countries or naturalized in foreign countries whose foreign citizenship is not recognized in China, due to the difference between the principle of *jus sanguinis* and the principle of *jus soli*.

The lack of arrangements for extradition between China and the extraterritorial powers offers further difficulties, as does the fact that under extraterritorial practice the premises occupied by foreigners enjoying extraterritorial privileges are inviolable, which

leads to their becoming places of refuge for Chinese who are wanted by the Chinese courts.

The commission finds that, according to statistics compiled for the year 1925 by the Chinese Maritime Customs, there were in China 254,006 persons and 6,473 firms enjoying extraterritorial privileges as against 83,235 persons and 1,270 firms not enjoying extraterritorial privileges. Of the total number of extraterritorial nationals 98.4 per cent. are Japanese, British, American, Portuguese, and French. The remaining 1.6 per cent. consists of the nationals of all other powers together. Of the five extraterritorial powers specially mentioned in the foregoing, 87.4 per cent are Japanese (the larger part of whom are in Manchuria), 6 per cent. are British, 3.8 per cent. are American, 1.4 per cent. are Portuguese, and 1.2 per cent. are French.

Part II of the report, consisting of paragraphs 51 to 196, relates to the laws and judicial and prison systems of China. The commission comments upon the work accomplished by the Law Codification Committee which was first set up toward the end of the Ching Dynasty and which has been continued under the Republic with the assistance since 1914 of French and Japanese advisers. Comment is made upon the fact that since the establishment of the Republic in 1912 the theory has been that the constitutional method of enacting law in China was by action of the Chinese Parliament. The commission finds that since the establishment of the Republic three constitutions have at various times been declared to be in force, namely, the Provisional Constitution of 1912, the Constitutional Compact of 1914, and the Constitution of 1923, and each has in turn been set aside. It finds that the last-named Constitution was set aside by the Provisional Government which was established in October-November 1924, and that the result is a state of affairs which, from a constitutional point of view, is vague and unsatisfactory. In considering the laws presented to the commission as laws applied in Chinese courts, the commission found that few, so far as it was able to learn, were ever enacted or confirmed by Parliament in the method generally prescribed by the several constitutions, that in fact they have as their basis mandates of the President or orders of the Ministry of Justice, neither of which has, strictly speaking, any legal or constitutional authority to make laws. The commission finds that although the Chinese laws thus rest on presidential mandates and ministerial orders, they are in fact administered, irrespective of the question, by the Chinese courts, and it points out that from the juridical point of view the laws appear to be regulations applied with the force of law by the courts, but subject to change or rescission at any time by their creators, the President and the Ministry of Justice. The commission then proceeds to a detailed discussion, law by law, of the several laws submitted to it as being in force.

The judicial system is discussed by the commission in paragraphs 118 to 186, attention being given to the modern courts, the transition courts, the magistrates' courts, the special courts, the military courts, the administrative court, and the police tribunals.

Paragraphs 187 to 196 comprise a discussion

of the prison system as it was found to exist by the commission.

Part III of the report relates to the very important subject of the administration of justice in China. Paragraphs 197 to 242 are devoted to the discussion of this subject. In discussing this question the commission points out that when the Republic was established in 1912 the modern legal and judicial systems of China were in their infancy, having been instituted a few years before under the Ching Dynasty by a group of public-spirited Chinese whose work was continued under the republican régime. During the first few years of the Republic the government organization was fairly stable, but for the last ten years the commission finds that there has been increasing disorder in China with a corresponding decrease in the authority of the Central Government together with an assumption of power by the provincial authorities. It finds that from the autumn of 1924 until the spring of 1926 the central executive power was under the control of a provisional government set up by the military authorities. The commission furthermore points out that since the autumn of 1917, the Chinese authorities in the Provinces of Kwangtung and Kwangsi have refused to recognize the authority of the Central Government, while other provinces at various times have since refused recognition to that government.

The commission points out that in addition to the lack of a controlling central government there has been for several years almost continuous civil warfare in the various parts of China.

The commission finds that under the republican form of government set up in China the matter of legislation was left to Parliament, but that that branch of the government has suffered disorganization, the parliaments having been ephemeral in nature and having contributed but little to the legislation of the country. It finds that in consequence of this state of affairs the matter of legislation has necessarily fallen largely on the President, the Minister of Justice, and other ministers, and points out that the instability of the tenure of ministerial office has rendered the continuity of legislative policy difficult.

The commission finds that among the many serious consequences resulting from this disorganization there are a number which have an important bearing upon the administration of justice. The commission finds in the first place that the reins of government have fallen into the hands of the military leaders who, by virtue of their powerful position, can assume at will administrative, legislative and judicial functions, thus tending to obliterate the line of demarcation between the executive, legislative and judicial branches of the government. In the second place the commission finds that the Government treasury has been depleted to such an extent that funds are at times lacking with which to pay the judicial and police officials. In the third place it finds that the uniformity of the legal and judicial systems is being impaired because of the independent laws and courts established in areas which do not recognize the Central Government. And in the fourth place the commission observes that the extension and protection of the new legal and judicial systems are being retarded. Considerable space is given by the commis-

sion to a recitation of facts indicating interference by Chinese military authorities in the administration of justice. Several cases are cited illustrating how the military authorities have taken the law into their own hands, have seized individuals, and have executed them without trial. The commission states its belief that it is well within the range of moderation to state that in China at the present time there is no effective security against arbitrary action by the military authorities with respect to life, liberty, or property, in so far as such security can be afforded by an effective functioning of the Chinese civil and judicial authorities.

Resolution V of the Washington Conference required that the commission to investigate extraterritorial practice in China was to report its findings of fact and make recommendations "as to such means as they may find suitable to improve the existing conditions of the administration of justice in China, and to assist and further the efforts of the Chinese Government to effect such legislative and judicial reformation as would warrant the several powers in relinquishing, either progressively or otherwise, their respective rights of extraterritoriality."

Part IV of the report of the commission consists entirely of recommendations to the governments. In making these recommendations the commission has gone further than was required by Resolution V, but it has made them in an effort to correct the present abuses which have arisen in extraterritorial practice in China. The recommendations divide themselves into four parts. The first and second parts are addressed to the Chinese Government and fall within the instructions contained in Resolution V. The third and fourth parts are addressed to the powers enjoying extraterritorial privileges in China. They relate to the abuses of extraterritorial privileges by extraterritorial aliens in China and suggest steps which may be taken by the several governments to correct them.

The following is the text of Part IV of the Report:

The commissioners, having completed their investigations and having made their findings of fact as set forth in Parts I, II, and III of this report, now make the following recommendations.

The Commissioners are of the opinion that, when these recommendations shall have been reasonably complied with, the several powers would be warranted in relinquishing their respective rights of extraterritoriality.

It is understood that, upon the relinquishment of extraterritoriality, the nationals of the powers concerned will enjoy freedom of residence and trade and civil rights in all parts of China in accordance and with the general practice in intercourse among nations and upon a fair and equitable basis.

RECOMMENDATIONS.

I

The administration of justice with respect to the civilian population in China must be entrusted to a judiciary which shall be effectively protected against any unwarranted in-

terference by the executive or other branches of the Government, whether civil or military.

II.

The Chinese Government should adopt the following program for the improvement of the existing legal, judicial and prison systems of China:

1. It should consider Parts II and III of this report relating to the laws and to the judicial, police, and prison systems, with a view to making such amendments and taking such action as may be necessary to meet the observations there made.

2. It should complete and put into force the following laws:

- (1) Civil code.
- (2) Commercial code, including negotiable instruments law, maritime law and insurance law.
- (3) Revised criminal code.
- (4) Banking law.
- (5) Bankruptcy law.
- (6) Patent law.
- (7) Land expropriation law.
- (8) Law concerning notaries public.

3. It should establish and maintain a uniform system for the regular enactment, promulgation, and rescission of laws, so that there may be no uncertainty as to the laws of China.

4. It should extend the system of modern courts, modern prisons and modern detention houses with a view to the elimination of the magistrates' courts and of the old style prisons and detention houses.

5. It should make adequate financial provision for the maintenance of courts, detention houses and prisons and their personnel.

III.

It is suggested that, prior to the reasonable compliance with all the recommendations above mentioned but after the principal items thereof have been carried out, the powers concerned, if so desired by the Chinese Government, might consider the abolition of extraterritoriality according to such progressive scheme (whether geographical, partial, or otherwise) as may be agreed upon.

IV.

Pending the abolition of extraterritoriality, the Governments of the powers concerned should consider Part I of this report with a view to meeting the observations there made and, with the cooperation of the Chinese Government wherever necessary, should make certain modifications in the existing systems and practice of extraterritoriality as follows:

1. Application of Chinese laws.

The powers concerned should administer, so far as practicable, in their extraterritorial or consular courts, such laws and regulations of China as they may deem it proper to adopt.

2. Mixed cases and mixed courts.

As a general rule mixed cases between nationals of the powers concerned as plaintiffs and persons under Chinese jurisdiction as

defendants should be tried before the modern Chinese courts (Shen P'an T'ing) without the presence of a foreign assessor to watch the proceedings or otherwise participate. With regard to the existing special mixed courts, their organization and procedure should, as far as the special conditions in the settlements and concessions warrant, be brought more into accord with the organization and procedure of the modern Chinese judicial system. Lawyers who are nationals of extraterritorial powers and who are qualified to appear before the extraterritorial or consular courts should be permitted, subject to the laws and regulations governing Chinese lawyers, to represent clients, foreign or Chinese, in all mixed cases. No examination should be required as a qualification for practice in such cases.

3. Nationals of extraterritorial powers.

(a) The extraterritorial powers should correct certain abuses which have arisen through the extension of foreign protection to Chinese as well as to business and shipping interests the actual ownership of which is wholly or mainly Chinese.

(b) The extraterritorial powers which do not now require compulsory periodical registration of their nationals in China should make provision for such registration at definite intervals.

4. Judicial assistance.

Necessary arrangements should be made in regard to judicial assistance (including *commissions rogatoires*) between the Chinese authorities and the authorities of the extraterritorial powers and between the authorities of the extraterritorial powers themselves, e. g.:

(a) All agreements between foreigners and persons under Chinese jurisdiction which provide for the settlement of civil matters by arbitration should be recognized, and the awards made in pursuance thereof should be enforced, by the extraterritorial or consular courts in the case of persons under their juris-

diction and by the Chinese courts in the case of persons under their jurisdiction, except when in the opinion of the competent court the decision is contrary to public order or good morals.

(b) Satisfactory arrangements should be made between the Chinese Government and the powers concerned for the prompt execution of judgments, summonses and warrants of arrest or search, concerning persons under Chinese jurisdiction, duly issued by the Chinese courts and certified by the competent Chinese authorities and *vice versa*.

5. Taxation.

Pending the abolition of extraterritoriality, the nationals of the powers concerned should be required to pay such taxes as may be prescribed in laws and regulations duly promulgated by the competent authorities of the Chinese Government and recognized by the powers concerned as applicable to their nationals.

Signed in the City of Peking, September 16, 1926.

For the United States of America:

SILAS H. STRAWN

For Belgium:

A. VAN CUTSEM

For the British Empire:

SKINNER TURNER

For China:

WANG CHUNG-HUI

By signing this report my approval of all the statements contained in Parts I, II, and III is not to be implied.

For Denmark:

L. P. TILLITSE

For France:

G. CH. TOUSSAINT

For Italy:

G. DE ROSSI

For Japan:

SADAO SABURI

For the Netherlands:

A. D. A. DE KAT-ANGELINO

For Norway:

JOHAN MICHELET

For Portugal:

J. A. DE BIANCHI

For Spain:

MANUEL ACAL Y MARIN

For Sweden:

CARL LELJOHNHUFVUD



CURRENT HISTORY—PART II. [*Continued*]

The Historians' Chronicle of the World

By the Board of Current History Associates

CHAIRMAN: ALBERT BUSHNELL HART, PROFESSOR EMERITUS OF GOVERNMENT, HARVARD UNIVERSITY

PERIOD ENDED DECEMBER 11, 1926.

The Outstanding Events of the Month

By ALBERT BUSHNELL HART

Professor Emeritus of Government, Harvard University

THE national election of Senators and Representatives seemed a crisis a month ago, but its effects are now distributed and some insight into the play of political forces, national and State, becomes possible. The fate of several Senators who became regular party candidates through golden primaries is still uncertain. The status of Vare of Pennsylvania, Watson of Indiana, and Smith of Illinois is curiously entangled with the discovery or the allegation that Gould, Republican Senator-elect from Maine, has been involved to the amount of six figures in bribery in Canada. The Constitution is very explicit in giving to the Senate as a body the right to "be the judge of the elections, returns and qualifications of its own members;" which has usually been interpreted to apply to the seating of members. Yet if Senator Walsh of Montana is right, the clause may be construed to authorize an unseating which is not expulsion and, therefore, requires no two-thirds vote. It looks as if the Republicans, if they can hold together, will easily control the House and be a predominant influence in the Senate.

The President has taken several opportunities to give to Congress "information of the state of the Union." In his annual message of Dec. 7 he suggests appropriations covering two years, as is the practice

in some of the States—a suggestion which will have to allow for the fact that the appropriations are already drafted eighteen months before any part can take effect. The President claims for the national Government, or at least for the national economic system, "a lowering of the cost to produce and a raising of the ability to consume." The economy of going on under a full head of steam has been taken up by an international organization, which is trying with some success to convince foreigners that the more every nation produces the more there is to exchange and to enjoy.

The Federal Government is annually appropriating immense sums, far surpassing the highest amounts spent during the American Civil War; but the extraordinary prosperity of the country keeps the receipts ahead of the expenditures. Apparently the high-g geared national economies are so overbalanced by State and city expenditures, some needful and some extravagant, that the total tax burden is increasing from year to year. The President is so interested in the favorable results of economy in the national Government that he has suggested a reduction of taxation that will lighten the burdens of 1926. Secretary Mellon cordially agreed with the principle, but it is clear that no reduction will affect the payments

of Federal income tax now almost completed. The President points out the value of the protective tariff, notwithstanding the increase of imports to four and a half billions dollars, of which three billions were free of duty.

These messages and the mind of Congress all converge upon the rising protests from the farmers. The World War is eight years past; the country has returned to normal as nearly as can ever be the case; and the farmer is still barely making a living. The bounty of Providence which has made possible a vast cotton crop reacts on the grower, who sees prices going down nearly to the cost of production, and that creates a new political situation—a common woe of the Democratic solid South and the usually Republican rural West. The President places great hopes on cooperative marketing associations, which seem to have done so much for California and other sections.

Transportation, both inter-State and intra-State, comes to the front again as a major consideration. In spite of the large increases in wages since 1915, and the high cost of materials, the railroads are doing better than for ten years. The heavy increases in shipment raise the question of water transportation, which has brought into prominence the need of a deep-water canal from the Great Lakes to the Atlantic salt water and a balancing plan of a canal and open river system from Chicago to New Orleans. If canals will reduce the cost of exporting and importing commodities to and from the great central area, they will aid the farmer. The main difficulty with modern canal systems is that they do not facilitate general distribution, because the places reached by canal are so few in comparison with those reached by railroads. Every railroad station and switch-stub in the United States can ship to every other station without breaking bulk.

President Coolidge is also much interested in the related issue of the utilization of water powers. That question has been brought to a sharp issue by the stand of Governor Smith of New York, who included in his recent campaign a drive against the leasing of water powers con-

trolled by the State to private corporations. The Federal Government (perhaps unfortunately) committed itself to the general principle of fifty-year leases, although in the specific instance of the Muscle Shoals it avoids long time commitments.

Secretary Hoover makes clear the absolute necessity of linking up the sources of power into giant power combinations; and that method is so clearly in line with modern industrial development that it is likely to be adopted. The main issue is how to retain for the public its God-given interest in the downward flow of water. General systems are essential. Governor Smith feels that a general system can be adopted for the State of New York which will give the people the advantages of the force of gravity in the falling waters, either through distributable profits or through low rates. Here arises a new problem, namely, that of service for States which have within their own bounds scanty water powers and natural supplies of fuel.

It is still too early to assess the effect of the recent election on prohibition. Federal enforcement has struck the same rock that weakened all State prohibition. If a man were to stand on a street corner and invite a gunman to shoot him and rob him, difficulties would arise in convicting the gunman. The trouble with prohibition enforcement at bottom is that A wants to sell illegally, and B wants to buy illegally; and neither will ordinarily testify against the other. The normal conditions of detection and enforcement of crime are upset.

Crime is still fashionable. The Hall murder trial was the occasion for a record in newspaper publicity. It is difficult to see how any one expected anything but a verdict of acquittal on the testimony adduced in court. In the South, lynching, which is the most despicable form of crime, is thought to have received a check because for the first time in the history of the State of Georgia a man has been found guilty of lynching (in this case a white man), and has been sentenced to prison for life. In most of the lynchings the victims are taken out of the hands of police or jailers by a mob. There would doubtless be frequent lynchings in North-

ern States if mobs were not pretty well assured that the officers of the law will fire at the risk of their own lives to protect their prisoners.

From various quarters come complaints that the Federal Government does not permit certain groups of persons under its control to indulge in popular government. The people of the City of Washington, renowned for its safety of life and property, are demanding an elective city government. In the Virgin Islands the United States faces a protest not against the lack of self-government, but against prohibition on the manufacture of St. Croix rum. In the Philippines the political cyclone is still raging. Apparently every responsible American who visits the islands and has opportunities of ascertaining the facts decides that as yet the Filipinos have not arrived at the stage of self-government. Independence would release the United

States from a large and difficult responsibility. Perhaps the expected report of Carmi Thompson, the President's personal investigator, may make it possible to envisage a time limit somewhere in the future when by a separation by mutual consent there may be a Republic of the Philippine Islands.

In its external relations the United States is at present free from anxiety. The situation in China is alarming to countries that are holding former Chinese territory, and extremely unwelcome to all nations. The Near East seems to be in danger of an explosion in the Albanian crater. The reservations of the United States to the statute of the World Court are still on the knees of the Great Gods and Little Fishes of the League of Nations. All parties concerned in these international disturbances will a month hence be nearer an understanding of their purposes.

International Events

FAR overshadowing all other business on the agenda of the meeting of the Council of the League of Nations, which opened on Dec. 6, was the question of the form of control over German armament to be exercised by the League when the Allied Commission is dissolved.

The Allied Commission recently presented to the German Government a series of four demands which must be met before their control would cease: (1) Subordination of the Commander in Chief of the Reichswehr to the Minister of War; (2) regulation of recruiting and of semi-military organizations; (3) control of the export of arms and munitions; (4) destruction of the new fortifications on the eastern border.

Without awaiting the conclusion of the Allies' negotiations with Germany over allied control, the League Council on Dec. 11 adjourned *sine die*, leaving the Foreign Ministers of the powers concerned to settle the questions involved between themselves.

After discussion in two long sessions of the Foreign Ministers of France, Great

Britain, Belgium, Italy, Japan and Germany at Geneva, decision was finally reached on these important issues on Dec. 12, when an official communiqué was issued announcing that interallied control of Germany would cease on Jan. 31, 1927. The terms of this agreement were summarized in the communiqué as follows:

First—Diplomatic negotiations will be continued before the Ambassadors' Conference on the questions of fortifications and war materials. Fresh proposals will be made with a view to assist the progress of the discussion and facilitate a conclusion.

Secondly—Pending a settlement all work on the fortifications in question will cease without prejudice to the right of either party to maintain its legal point of view.

Thirdly—The Interallied Commission of Control will withdraw from Germany on Jan. 31, 1927, and as from that date Article 213 of the Treaty of Peace will be applied in accordance with the conditions laid down by the Council of the League of Nations.

Fourthly—If on that date and contrary to expectations an amicable arrangement is not reached in regard to these questions, they will be brought before the Council of the League of Nations.

Fifthly—Each of the Governments represented in the Ambassadors' Conference will be at liberty to attach to its embassy at Berlin a technical expert authorized to reach an agreement with competent German authorities in regard to all questions of execution respecting the settlements reached or to be reached.

This agreement ended the discussions of the Foreign Ministers, who were then able to report the results to their respective Governments—results which, to each party concerned, represented both a compromise and a victory.

DISARMAMENT

The civil subcommittee of the Preparatory Commission voted on Nov. 29 to forward to the plenary body the report of the Joint Commission on economic aspects, each nation reserving its own action in the final debate. The report recommends the drafting of model statements permitting a uniform presentation of national armament budgets, and the selection of certain key items from the budgets to serve as indices of total expenditures.

The American delegation has been instructed to interpose categorical objections to any attempt to compare military or naval budgets. The subcommittee admits that defense expenditures cannot furnish definite criteria for comparison; but it holds that the publication of the figures would tend to restrain nations within the limits finally adopted. Economic factors, such as population, national wealth, railroads and raw materials available, are so complicated in character that only on very broad lines can they be taken into account in formulating proposals for limitation.

A committee of the Council of the League, which is in effect the Council itself, met at Geneva on Nov. 29 to consider the sanctions, military, financial and economic, to which, according to Article 16 of the Covenant, a nation making war in violation of the Covenant may be subjected. France suggested that the League should set up an organization to make possible the immediate meeting of the Council and the provision of improved telegraphic and telephonic communications between the Sec-

retariat and the member nations. Finland asked, particularly on behalf of the smaller nations, for a plan under which, when threatened from without, they could secure immediate financial assistance. Belgium urged the importance of sending to the scene of possible conflict League delegates competent to advise and to mediate.

Discussion of this last suggestion led the committee to the belief that the emphasis should be placed more strongly on the prevention of war rather than on the sanctions to be applied when once it is begun. Ample authority for such action is given to the League by Article 11, which declares that "the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations." The whole question is to be considered further both by the Council and the Assembly.

The action of the Council on Dec. 8 in requesting the Preparatory Commission to propose a date for the meeting of the Conference makes it unlikely that it will be summoned before the next session of the Assembly in September, 1927. On the same day the Council voted to establish at Geneva a powerful wireless station, under League control, so that in the event of threatened hostilities it may be assured of rapid and uninterrupted communication with the member nations.

GERMAN REPARATIONS

Mr. Gilbert's second annual report as Agent General for Reparations, made public on Dec. 5, illustrates again the value of expert economic knowledge applied to political situations. Whatever may be its ultimate fate, the Dawes plan already has demonstrated its usefulness in tranquilizing Europe, in re-establishing German credit and in stabilizing German currency.

The payments made on account of reparations by Germany during the last financial year were, in round numbers, to France, 611,877,000 marks; to Great Britain, 227,765,000; to Italy, 87,310,000; to Belgium, 125,877,000; to other countries, 26,000,000. Payments in kind amounted for France to about 49 per cent. of the to-

tal; for Italy, 75 per cent., and for Belgium, 48 per cent.

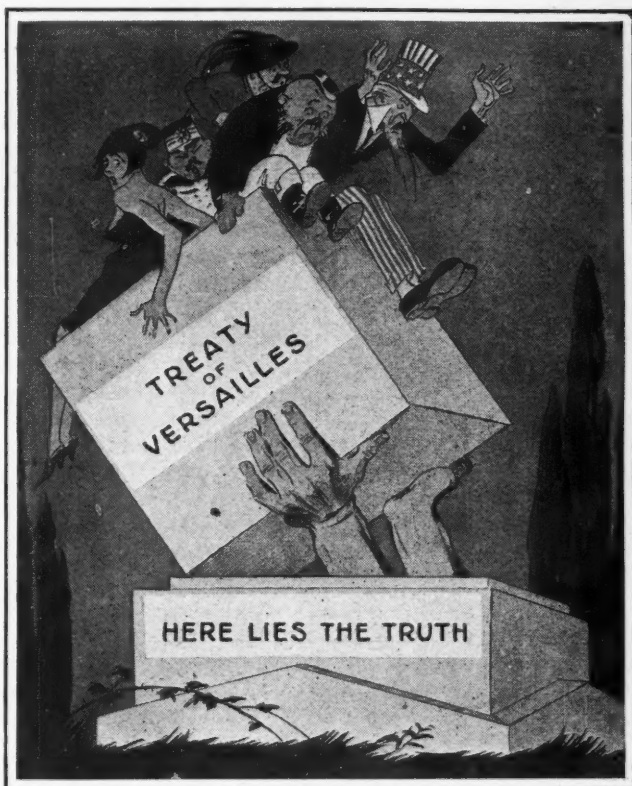
The German budget for 1926-27 balances at 8,431,000,000 marks. During the year ending Oct. 31, 1926, there was a favorable trade balance of 216,000,000 marks. Savings deposits have increased, but are still only 14 per cent. of the pre-war figures. Railway receipts were sufficient to meet all obligations (except an old deficit, which it is hoped to wipe out during 1927) and to permit of the payment of 595,000,000 marks of interest on the railway bonds, and an additional 268,700,000, received from the transport tax.

Significant passages in the report are the following:

"An obstacle to trade remains in the shape of protective tariffs and other customs barriers. The multiplicity of frontiers and the extent to which customs duties obstruct the passage of goods across them place burdens on international trade which are not limited to the amount of the duties collected. * * *

"With smooth functioning of the plan, there has been a notable change in the attitude regarding it. While Nationalists, Germany's second largest party, who opposed its adoption in the Reichstag, have not assumed the rôle of boosters, there is no longer the stinging criticism against it which was characteristic of the first year of its operation, as well as during last Winter's business depression. * * *

"Decision in favor of peaceful reconstruction was made, and the problem is now one of finding ways and means. What further progress another two years will see no man can now say. The answer depends upon various unpredictable factors, and perhaps not least upon developments external to Germany."



A GERMAN VIEW OF THE PEACE TREATY

—Kladderadatsch, Berlin

ECONOMIC CONFERENCE PREPARATIONS

In marked contrast to the similar Disarmament Commission, the delegates at the meeting of the Preparatory Commission for the Economic Conference found few points of disagreement as to the questions to be discussed and the main principles necessary for the economic reform of Europe. Delegates from twenty-three countries were present at the meeting at Geneva on Nov. 15, the United States being represented by Thomas W. Page, former Chairman of the Tariff Commission, and by Arthur W. Gilbert, the President of the International Institute of Agriculture at Rome. M. Theunis of Belgium was the presiding officer.

For months industrial and economic experts and organizations have been engaged in the preparation of reports and docu-

ments. The International Chamber of Commerce presented a long report on trade barriers. The American Iron and Steel Institute, the Comité des Forges, the Confédération Général du Travail and similar British, German and Italian organizations sent reports dealing with various phases of the situation. After an examination of these reports by the subcommittees and their discussion before the commission, an agenda for the coming conference was adopted on Nov. 18. The topics to be discussed fall under three general heads: Tariffs and other legal restrictions to trade, the better organization of industry, and international cooperation in the distribution of agricultural products and raw materials.

To the conference, which is to be held on May 4, 1927, the Governments are invited to send five delegates, to be chosen for their personal qualifications rather than because they hold certain official positions. These delegates are not to have plenipotentiary powers and their recommendations will not commit their Governments to any course of action. Mr. Page summarized the purposes of the conference as follows:

"Immediate results in the form of radical changes in legislation or even modification of general policies are not to be expected. But from the conference will develop a strong opinion regarding the remedy, which will be backed by the authority of people who are best qualified to express an opinion and also by the facts on which intelligent opinion ought to be based. If the consensus of opinion of that character can be given expression, it will inevitably influence thought in the various countries where a solution is most desired."

THE ODESSA CONFERENCE

No one outside the inner circle knows precisely what happened during the conference at Odessa between Tewfik Rushdi

Bey, the Turkish Foreign Minister, and Tchitcherin, the Soviet Foreign Minister. The circumstances were such as to raise, in the minds of the fearful and the sensation loving, the spectre of a pan-Asiatic league, opposed to that of Geneva. In the cold light cast by the known facts of Asiatic politics, however, the spectre faded and soon disappeared. Whether accidentally or not, there were present at Angora at one time Dr. Alfred Sze, Chinese Ambassador to the United States, Mirza Abdul Hussein Khan Timurtash, the Persian Foreign Minister, the Turkish Ambassador at Teheran, and a representative of Afghanistan. When, a few days later, it became known that there was to be a conference at Odessa it was at once evident, in the circles named, that there was to be a pan-Asiatic league. The story was promptly denied by both Moscow and Angora.

The known facts are these: Tchitcherin and the Turkish Ambassador at Moscow met Tewfik Rushdi Bey, on the invitation of the latter, at Odessa on Nov. 12. Of the three days given to the conference, two were taken up with banquets and an exchange of felicitations. On Nov. 14 the two Foreign Ministers had a three-hour conference. The official communiqué was, as is usual, very vague. The best informed opinion seems to hold that the meeting was in the nature of a gesture. Both Turkey and Russia have not been very successful in their attempts to arrange satisfactory treaties with the Western powers. This they very much desire to do. They felt that a meeting of this kind and a display of an Asiatic bogey man might make the European foreign offices a little more ready to negotiate. Turkey seems anxious to enter the League and there is little doubt that she would be welcome. Russia affects to scorn it; but she is feeling the effect of her isolation and desires closer relations with the West. She may be paving the way on which later she may travel to Geneva.

J. T. G.

The United States

THE second and last session of the Sixty-ninth Congress, which will expire by limitation on March 4, 1927, opened on Dec. 6 with the usual formalities. Three new Senators, David I. Walsh of Massachusetts and Harry B. Hawes of Missouri, Democrats, and Arthur R. Gould of Maine, Republican, took the oath of office. A resolution offered by Senator Walsh of Montana, Democrat, for an investigation of an intimation by a Canadian court that Mr. Gould had been guilty of bribery in connection with a railway transaction in Canada some eight years ago was laid over under a point of order, but adopted the next day. The investigation was regarded as foreshadowing a similar inquiry into the election of William S. Vare of Pennsylvania and Frank L. Smith of Illinois, both Republicans, whose terms of office as Senators begin with the Seventieth Congress. A resolution providing for the rejection of their credentials if presented was offered on Dec. 9 by Senator Dill of Washington, Democrat.

The new members of the House of Representatives include Frederick W. Dallinger of Massachusetts, a former member, who succeeds the late Harry L. Thayer; Harry L. Engelbright of California, who succeeds the late John E. Raker; Richard J. Welsh of California, who succeeds the late Lawrence J. Flaherty, and John D. Cochran of Missouri, who takes the seat formerly held by Senator Hawes. The first three of these members are Republicans, the fourth is a Democrat.

THE PRESIDENT'S MESSAGE

The annual message of President Coolidge was sent in on Dec. 7. The tone of the message was cautious, and most of its recommendations were general rather than specific. Economy in public expenditure was again emphasized, and Congress was urged to avoid at the present session "all commitments except those of the most pressing nature." Although the anticipated

surplus in the Treasury at the end of the present fiscal year, estimated at \$383,000,000, was declared to be "not much larger than is required in a going business of nearly \$4,000,000,000," the question of affording relief to the taxpayers was presented in such a way as apparently to invite Congress to choose between reducing the tax payments due in March and June, 1927, or using the surplus to effect a still more rapid reduction of the national debt.

A defense of the protective tariff system, directed especially at "those who are starting an agitation for a reduction of tariff duties, partly at least for the benefit of those to whom money has been lent abroad," was followed by an extended survey of the agricultural activities of the



CAJOLERY

[It was reported that Queen Marie visited America to try to obtain a loan for Rumania]
Queen Marie: "Oh, dear Uncle Sam, you can't think how much I love you"

—Kladderadatsch, Berlin

Government. Cooperative marketing was praised, and the hope was expressed that the problem of dealing with surplus crops might be solved without involving the Government in the business of producing or marketing the surplus or attempting to regulate prices. No particular plan of farm relief, however, was singled out for special approval.

The remaining recommendations of the message included the restriction of inland waterways development for the present to the "main arteries" of commerce; consolidation of the railways, particularly important as a necessary step toward rate reduction; the treatment of the "chaos" which has developed in radio broadcasting through the agency of a Federal board; a specific request for legislation to enable the Executive to deal with the strike with which the bituminous coal fields are threatened next Spring; prompt action in regard to branch banking and the extension of the charters of the Federal Reserve Banks; and the application to the building program which has been authorized for Washington of "the best that exists in the art and science of architecture."

THE BUDGET MESSAGE

The rather general suggestions of the message in regard to finance were given a more specific character in the annual budget message of the President, presented to Congress on Dec. 8. Because of the short experience with the new revenue law and the uncertainty regarding the future state of business, Mr. Coolidge declined to urge any permanent reduction of the tax rates or the abolition of any particular tax at the present session, notwithstanding an estimated surplus for the fiscal year 1927-1928 of more than \$200,000,000.

The estimated appropriations for the fiscal year 1927-1928, to be considered by the present Congress, aggregate \$3,256,602,009.60, exclusive of the postal receipts, which are regularly appropriated to the maintenance of that service. For the fiscal year 1926-1927 the figure is \$3,259,222,093.48. The estimated appropriation for the Postoffice Department for 1927-

1928, payable from the postal revenues, is \$757,969,115, an increase of about \$19,000,000 over the previous year. The largest single item of expenditure is the interest on the public debt, for which \$785,000,000 will be required in 1926-1927 and \$755,000,000 in 1927-1928.

The annual report of the Secretary of the Treasury, sent in on Dec. 8, completed the survey of Federal finances. Aside from a general discussion of the financial and business situation of the country, the report was chiefly significant in its failure to recommend a continuance of the life of the War Debt Commission, whose work, it was said, had virtually been finished, and in its estimate of "progress" in the enforcement of prohibition.

NATIONAL DEFENSE

In the annual report of the Department of War, parts of which were given to the press shortly before the meeting of Congress, Secretary Davis warned the country against "blindly deluding" itself in regard to national defense. The plans agreed upon in 1920, the report declared, had been only partially carried out, and "with the exception of a slight restoration of the supply of ammunition at the expense of a reduction in personnel," conditions had changed but little during the past year.

President Coolidge, who devoted one of the longest sections of his regular message to the subject, took a different view of the situation. Although it was true, he said, that "a cult of disparagement exists," a survey of the land and naval forces gave no support to the contention that the country was "neglecting its national defense," and "candid examination" by committees of Congress "has always reassured the country and demonstrated that it is maintaining the most adequate defensive forces in these present years that it has ever supported in time of peace." The subject was treated at still greater length and to the same effect in the budget message.

ADMINISTERING THE NATIONAL ESTATE

The annual reports of the heads of other Federal departments and bureaus afforded the usual informing review of the many-

sided activities of the Government. The Department of Justice reported that fifteen criminal and twenty-one civil cases under the anti-trust laws had been finally disposed of during the fiscal year, and that seven criminal and eight civil suits had been begun. "Particular attention" had been given to suits against businesses affecting the "necessaries of life and living conditions generally." Federal prisons were overcrowded and the number of prisoners was increasing. An amendment of the Volstead act which should enable the courts to impose, in their discretion, jail sentences "heavy enough to fit the facts" was among the specific recommendations.

For the maintenance of seacoast and inland harbors and waterways, which during the year handled a volume of traffic amounting to \$23,946,000,000 in commerce and 937,100,734 passengers, the Chief of Engineers of the army reported that \$65,477,365 would be needed. The reclamation of 1,802,970 acres of land by irrigation, a partial supply of water to 1,340,000 acres, operation of 16,000 miles of canals and more than 100 dams, and the construction of 431 bridges, 446 culverts and 82 flumes, formed a part of the multifarious activities of the Department of the In-

terior. The Postmaster General reported that the deficit of the department had been decreased by one-half, notwithstanding an addition of more than \$70,000,000 to the salary list.

OF NATIONAL INTEREST

The first decision of the Board of Arbitration created by the Watson-Parker Railway act, announced on Dec. 2, granted an increase of $7\frac{1}{2}$ per cent., or about \$15,000,000 a year, to 89,000 conductors and trainmen on Eastern railway lines.

The provision of the Baumes law making it mandatory upon the courts to impose sentences of life imprisonment without parole in the cases of fourth offenders was upheld by the New York Supreme Court on Dec. 1.

In a 5-to-4 decision the United States Supreme Court, on Nov. 28, affirmed the constitutionality of so much of the Federal prohibition laws as limits the prescription of whisky by physicians to one pint per patient every ten days.

Senator William B. McKinley of Illinois, for more than twenty years a member of Congress and prominent as a Republican leader, died at Martinsville, Ind., on Dec. 7, after a long illness, aged 70.

W. MACD.

Mexico and Central America

THE "battle of words" between the supporters and the opponents of the Mexican Government's policy to enforce the religious and educational provisions of the Constitution was brought to a climax during November by a formal statement from former President Obregón and an encyclical issued by Pope Pius.

In his statement issued on Nov. 7 General Obregón asserted that the Church and State conflict "is due to one of many errors made by the Catholic clergy in systematically opposing social evolution." Professing to see as the motive behind the suspension of public worship on July 31 the "erroneous assumption" of the clergy that "the masses of the people would rise

against the public administration in order to change the régime for another that would place itself at the disposal of the interests of Rome," General Obregón went on to say that the fact that "the measure did not bring the effects sought" seemed to indicate that "the clergy themselves were not aware of the extent of the ground they had already lost in the public mind." The immediate result had been that "only the masses have been deprived of the practice of religion," and the ultimate result would be that "in a year perhaps the lower classes will grow familiar with the situation thus created" and would become convinced "that they are perfectly well able to live without their [the clergy's] spirit-

ual aid." General Obregón also characterized as a mistake the action of the clergy in "stirring up the Catholics in a neighboring country, the United States, to assist in their defense." He concluded by calling upon the "leaders of the Church in Mexico" to "entrust to their intellect and not to their emotions the study of this problem," and so "save that portion of power and wealth still remaining to them."

In the encyclical issued on Nov. 20 Pope Pius condemned in vigorous terms the "arbitrary character" of the Mexican Constitution of 1917; the Presidential regulations of last July putting into operation the constitutional provisions relating to education and religion, and the alleged "bloody tyranny" suffered by the clergy and the faithful "men and women who defended the Church and religion" in Mexico against the obnoxious statutes and decrees. The Pope addressed especial praise to various Catholic associations in Mexico, including the Knights of Columbus, "which stood by the side of the clergy like soldiers." In conclusion, Pope Pius supplicated and implored Our Lady of Guadalupe, the traditional patroness of the Mexican Indians, "to forgive the crimes committed against her and to intercede for the return of peace and concord in Mexico."

Mexican officials the following day declared that Pope Pius's condemnation of Mexican officials had been based on false premises and denied that there had been any torture of Catholics in Mexico. Two days later (Nov. 23) the Mexican Episcopate explained the Pope's interest in the Mexican situation on the ground that "there are two factions in the fight, Christianity and Bolshevism," and, in conclusion, asserted that the Pope had demonstrated "the right he has to intervene in the religious affairs of the Catholic Church in any country."

Directors of the Knights of Columbus met in Chicago on Nov. 5 to discuss plans for the expenditure of a \$1,000,000 fund to arouse opinion in the United States against alleged "oppression of Catholic worshipers" in Mexico. At this meeting the Knights charged the Mexican Govern-

ment with "violation of all the principles of civilized government," but disavowed complicity in revolutionary activity against the Calles Government.

A "Bill to Regulate Article 130 of the Federal Constitution," which proposes Government power to regulate marriage procedure and to define and limit the rights and activities of churches and clergymen in Mexico, was introduced in the Mexican Chamber of Deputies by President Calles on Nov. 6, and approved by that body on Nov. 25. The bill proposes to make more rigid in many respects the Presidential regulations of the religious clauses of the Constitution. The Catholic clergy withdrew from the churches throughout Mexico in protest against these regulations, which went into effect on Aug. 1. The only modification by which they are lightened is in transitory Article 1, which provides that where "foreign colonies of language other than Spanish lack a minister of the cult who is Mexican by birth" the Department of the Interior may, on certain conditions, "grant a period up to six years for the above mentioned colonies to utilize the services of a foreign minister."

President Calles, on being asked for a statement regarding American allegations of Bolshevik and other inimical tendencies of the Mexican Government, made the following reply on Dec. 6:

I have no objection to giving you my opinion. It can be summarized in one word, propaganda. It is merely propaganda which if it were not slanderous would be ridiculous.

What sound mind could shelter the idea that Mexico, a country in process of organization, without an army for conquest, without even a shadow of a navy, would plan to threaten the defenses of the Panama Canal or the defenses of other countries?

Is it even logical to think that we, who fight with sacrifice to put our house in order, would become apostles of exotic doctrines? The propaganda about Mexican Bolshevism is a new lie to discredit Mexico. Once I have stated that the problem of Mexico was the problem of no other country; that my Government did not wish to govern itself by foreign theories but by domestic facts, and therefore the political problems of Russia are as strange to us as they are to the United States.

My Government maintains official relations with the Soviet Government, just as other great coun-

tries in Europe maintain relations with it, and just as other nations, on account of commercial interests, probably, will have to, because relations between countries have to be based on a profound respect for the opinions of mankind.

The ideal of my Government, which is the same as the ideal of my people, is to save the great mass of the population from misery and ignorance, to raise their social standards. * * *

This program, when seen even with a minimum of sympathy, is a soundly Christian program, but it is branded as Bolshevism by our gratuitous propagandists. I am sure that if instead of holding such ideals I would devote myself to the easy task of continuing the work of Porfirio Diaz, backing only the rich of my country, scorning the poor, shooting the workingmen, squandering abroad the products of this land, paying newspapers to praise me and cultivating sterile flattery I would obtain the false titles of pacifier of this country and rebuilder of the nation.

I prefer to be without these titles, and carry on this humanitarian task even if by doing it my Government is marked with the name of Bolshevik which propaganda is giving it. I leave to time to pass the difficult final judgment.

The Mexican Department of Public Education in mid-November announced the opening of twenty-five schools in buildings attached to Catholic churches in the State of Guanajuato.

The proposed amendment to the Mexican Constitution which would permit a former President to be elected again after "a Presidential term has intervened" passed the Senate on Nov. 19. The amendment, which was passed by the Chamber of Deputies on Oct. 21, must still be ratified by two-thirds of the State Legislatures before it becomes operative.

In a fierce battle between 500 Yaqui Indians and detachments of Federal forces on Nov. 13, the Yaquis were obliged to withdraw, and, in doing so, took their dead with them. The Federals lost eight officers; many soldiers were either killed or wounded. General Francisco Manzo, commander of Federal forces in Sonora, reported on Nov. 21 a long series of clashes with the Yaquis, in some of which the losses were said to be heavy on both sides. He also confirmed reports that trained Mexican military officers were leading the Yaqui warriors.

When agrarians in the State of Vera Cruz took possession of 164 acres of the

Potrero sugar plantation owned by Mrs. Virginia King of New York, the Department of State on Nov. 18 instructed United States Chargé d'Affaires Schoenfeldt to make representations to the Mexican Government looking to the removal of the trespassers. Hostilities resulting from the activities of agrarians in the Matamoros region, opposite Brownsville, Texas, resulted in the death of eight and the wounding of five persons on Nov. 30.

As a result of frequent efforts of small bands of rebels to assault trains, the War Department on Nov. 14 ordered all passenger and freight trains in Mexico to carry strong military escorts.

Figures given out by the United States Department of Labor on Nov. 30 show that 60,620 natives of Mexico were admitted into the United States during the past fiscal year ending June 30.

Nicaragua

AFTER the resignation of de facto President Chamorro (Conservative) on Oct. 30 the members of the Nicaraguan Congress, which was chosen at a popular election in 1924, met in extraordinary session for the purpose of electing a constitutional President. Changes which had been made in the membership of this constitutionally elected Congress during the régime of General Chamorro, who installed himself in power by a coup a year ago, were nullified and members who had been expelled were invited to resume their seats. Out of a possible 64 votes, 53 votes were cast on Nov. 11 in the special election of a President, and of these 53 votes Senator Adolfo Díaz received 45 votes, or an absolute majority of the total membership of Congress. President Díaz entered upon his duties as President of Nicaragua on Nov. 14. The following day, in a letter to United States Chargé d'Affaires Dennis, he solicited the support of the Department of State "with a view to reaching a solution" in the Liberal revolution in Nicaragua and to avoiding alleged "further hostilities and invasions on the part of the Government of Mexico." Assurances were given "that whatever may be the means chosen by the Department of State" would meet with his "absolute confidence in the high spirit

of justice of the Government of the United States."

Two days later Mr. Dennis notified President Díaz that his Government had been recognized by that of the United States "as the constitutional Government of Nicaragua" and expressed gratification at the resumption of formal diplomatic relations between the two countries. Guatemala and El Salvador also promptly recognized the Díaz Government. News that the United States Government had extended recognition was reported on Nov. 18 to have created a sensation in San José de Costa Rica. Official announcement was made at Washington on Nov. 19 that the cooperation of the United States toward restoration of peace in Nicaragua had been offered by Secretary Kellogg. Conferences in the interest of such a peace between the Díaz Government and the Liberal Revolutionists were held on the United States cruiser Rochester, on the east coast of Nicaragua, on Nov. 26, between United States Admiral Latimer and General Moncada, the leader of the revolutionists. The Liberals were reported to be depressed over their prospect of success.

The Conservative Cabinet named by

President Díaz was made up as follows:

CARLOS CUADRA PASOS—Foreign Affairs.
FERNANDO GUZMAN—Finance.
FRANCISCO RENAZCO—Public Instruction.
JOSE MARIA SIERO CARAZO—Public Works.
RICARDO LOPEZ CALLEJAS—Interior.
SEBASTIAN NUNEZ—War.

Cuba

CARLOS MANUEL DE CESPEDES resigned as Cuban Secretary of State on Nov. 17 and was appointed Cuban Minister at Paris. He was succeeded as Secretary of State by Rafael Martínez Ortiz, retiring Cuban Minister to France. President Machado on Nov. 17 appointed Colonel Orestes Ferrara as Cuban Ambassador to the United States in place of Dr. Rafael Aballi, resigned.

Guatemala

THE Presidential election in Guatemala was carried out Dec. 3, 4 and 5 "very peacefully," and Lazaro Chacon was elected by a large majority. Chacon, a Liberal, had been serving as President since the death last September of President Orellana. He was opposed by General Jorge Ubico, a Progressive. C. W. H.

South America

THE latest development in the settlement of the Tacna-Arica controversy (which is fully discussed on page 560 of this issue) was the publication of Chile's official note to Washington, in which she agreed to "consider in principle" the new proposal, making clear that demilitarization must be complete in the area after it becomes Bolivian territory, also that this territory may not be transferred at a later date, either in whole or in part, to any other nation. "We have the right," the note added, "to make sure that the sacrifice we are making in deference to a lofty ideal will not constitute a future danger to our exterior security." On Dec. 9 Bolivia registered her approval of Chile's stand in another note, and expressed her

readiness to begin negotiations. Peruvian acceptance of the proposal had not been officially expressed, but press reports from South America prophesied acquiescence, at least "in principle," by the Peruvian Government.

Brazil

DR. WASHINGTON LUIZ was inaugurated President of Brazil on Nov. 15, and selected the following Cabinet:
OCTAVIO MANGABEIRA—Foreign Affairs.
DR. GETULIO VARGAS—Finance.
LYRA CASTRO—Agriculture.
DR. VICTOR KONDER—Public Works.
DR. VIANNA DO CASTELLO—Justice and Interior.
ADMIRAL PINTO DA LUZ—Marine.
GENERAL NESTOR DOS PASSOS—War.

The inaugural address contained the fol-

lowing outstanding platform promises: (1) The stabilization of the milreis at a slightly lower level than that favored by the retiring President, Dr. Arturo da Silva Bernardes; (2) the continuance of a policy of road construction throughout Brazil, an activity pioneered by President Luiz while Governor; (3) relief of the present serious coal shortage.

No sooner had Señor Luiz assumed office than 400 troops in the State of Rio Grande do Sul mutinied, necessitating the dispatch of 1,000 Federal troops to quell the uprising. A virtual war was carried on by former President Bernardes during 1924-1925 against rebellious factions in this and other States. This fresh insubordination caused the new President to continue indefinitely the "state of siege," with censorship of the press and the detention of political suspects in the disaffected area.

Official statements admit that revolutionary activities were manifest also in the States of Paraná and Santa Catalina. Government forces routed a band of 100 rebels who had captured Guarapuava, a town in the former State. Several hundred Brazilian troops were reported killed in a battle at Bella Vista in the State of Rio Grande do Sul on Nov. 25, and the revolutionists were reported to have captured General Oswaldo Aranha, leader of the State forces. A band of 400 mutinous soldiers attacked the town of Santa Maria with airplanes and bombs, destroying the provincial bank and the principal hotel, causing many casualties.

Chile

CABINET changes continued in Chile. The militarist party won a point when the entire Cabinet resigned on Nov. 18. It was not, however, a complete victory for the Minister of War, Señor Ibañez, who forced the resignations, as the other Ministers refused to give up their portfolios unless he likewise resigned. All the Ministers except Señor Ibañez signed a joint resignation, which was presented to President Figueroa-Larrain. Señor Ibañez presented an individual resignation. A new Cabinet was formed on Nov. 21. Señor

Ibañez, who holds the balance of power through the Army support, was again made Minister of War. The personnel of the Ministry was as follows:

MANUEL RIVAS-VICUNA—Premier and Minister of the Interior.

JORGE MATTEGORMAZ—Foreign Affairs.

ALVARO SANTA MARIA—Justice and Education.

ALBERTO EDWARDS—Finance.

ARTURO ALEMPARTE—Agriculture.

GENERAL CARLOS IBANEZ—War.

ADMIRAL ARTURO SWETT—Marine.

JULIO VELESCO—Public Works, Commerce and Communications.

Colombia

THE Colombian Cabinet presented its resignation to President Mendez on Dec. 6, the new Administration having been in office only four months. Political disaffection has been augmented by commercial difficulties during recent months, and the Municipal Council of Medellín, the chief city of the republic, joined with that of the City of Tunja in a resolution condemning the present Congress as incapable of administering national affairs.

Ecuador

THE Government of Ecuador during the month granted permission to Dr. Gonzalo S. Córdova, former Constitutional President, to return from Peru to his native land. Ex-President Córdova was taken sick shortly after he assumed office on Sept. 1, 1924, and in consequence of his illness his executive duties were delegated to Dr. Alberto Guerrero Martínez, his constitutional successor. A military coup d'état overthrew the Government on July 9, 1925, and Dr. Córdova has been in voluntary exile since that date. The military "junta" which took over the reins of government at that time withdrew in April, 1926, in favor of Dr. Ayora, President of the Council of Government, who continues as Provisional President.

Commercial, and especially financial, conditions have been growing steadily worse during the past year. Exchange rates have become increasingly unfavorable; the banking situation has become crit-

ical and currency issues have been made without restriction and far beyond the limit of redeemability. It is this situation which the Kemmerer Commission, now working in Ecuador, has to face. One of the first tasks of the commission is to formulate plans for the proper operation of the national banks. This will be followed by appropriate legislation for new taxation and by the installation of a better customs tariff.

Uruguay

AT the national election held in Uruguay on Nov. 28 the candidate of the "Colorado" party, Dr. Juan Campístegui, was chosen President of the republic. The new Chief Executive, who will assume office in March, 1927, was born in Montevideo in 1859 of Basque descent. He is a journalist by profession and has given much time to the service of his country. At the end of the Quebracho revolution in 1886 Dr. Campístegui founded the newspaper *El Dia*, which has since become one of the most influential dailies in Uruguay. In 1897 he was appointed Secretary of the Treasury and later served as Minister of the Interior.

Diplomatic relations between Uruguay and Cuba were severed by the latter country on Nov. 16, when the Cuban Government recalled its Minister to Uruguay because of the failure of the Montevidean Government to give satisfaction for an alleged insult to Cuba's dignity. The diplomatic break came as a result of a discussion between Orestes Ferrara, Cuban delegate to the League of Nations, and Alfredo Guani, Uruguayan delegate. The latter's statement, made at the session of the League in Geneva last September, that Cuba's sovereignty was restricted by her permanent treaty with the United States brought a quick retort from Señor Ferrara. No official notice was taken of the incident, however, until newspapers in Buenos Aires and in Santiago published articles quoting Señor Guani. The Cuban Minister in Montevideo forwarded these press statements to his home Government, which asked for an immediate explanation. The difficulty was settled the following day by an apology from the Uruguayan Government, which declared that the statements appearing in the Buenos Aires press questioning Cuba's sovereignty were not those of Señor Guani, Uruguayan delegate to the League.

H. T. C.

The British Empire

THE great British coal strike of 1926, one of the costliest industrial struggles of recent years, was virtually brought to an end on Nov. 19. On that date, twenty-nine weeks after the strike began on May 1, the delegate conference of the Miners' Federation recommended that the strikers in all districts where work had not already been formally resumed open negotiations with the mine owners. This recommendation, in itself, was an abandonment of one of the chief demands of the miners, that the settlement should be made on the basis of a national agreement. The surrender, in which practically every point in dispute was yielded by the unions, was made necessary by the fact that approximately one-third of the

1,107,000 men employed in the coal mines had gone back to work, and that the remainder were returning to the mines at the rate of almost 10,000 per day.

The official abandonment of the strike, which had already actually failed, was made upon the basis of proposals advanced by the Government, which may be briefly summarized as follows: District settlements, involving longer hours; standard district agreements for a period of not less than three years, establishing principles with which actual district agreements should conform; a national tribunal to sit for six months only to hear appeals from either side against agreements not conforming with the standard agreements; the owners' proportion of the distributable



THE BRITISH EMPIRE COMMUNITY SINGERS

The Pessimists: "It is simply dreadful—they are all in harmony!"

—Daily Express, London

proceeds of the industry not to exceed 15 per cent. or be less than 13 per cent. Within a week after the acceptance of these basic terms of settlement agreements had been reached in practically all the districts, a large proportion of the strikers were again in the pits, and the Government had removed its restrictions on the use, sale and distribution of coal, except those prohibiting its export. The district agreements varied in detail, some calling for a seven, some for a seven and a half, and some for an eight-hour day. Wages and working conditions also varied from district to district. The net result in every district, however, was unfavorable to the miners.

The total cost of the strike and its ultimate effects cannot be as yet accurately assessed. The report of the Royal Coal Commission, which was made after months of labor during a truce which cost the Government millions of dollars, and which offered a rational plan for solving the fundamental difficulties of the British

coal industry, seems to have been scrapped. Nor has it been replaced by any other far-reaching scheme to put the industry on a basis which will render the recurrence of trouble unlikely. Hunger has forced the miners back into the pits, which solves nothing.

After a long debate in the House of Commons on Dec. 8, a Labor motion to censure the Government for its handling of the coal strike was rejected by 339 votes to 131.

The most interesting incident of domestic politics during the period under review was the bid which David Lloyd George made on Nov. 27 for an alliance between the eclipsed Liberal Party and Labor. This invitation to cooperation and power was not received with enthusiasm, however, by either Laborites or Liberals. Lieutenant Commander J. M. Kenworthy, who resigned from the party after Lord Oxford and Asquith was forced from the leadership, was re-elected under Labor colors in his old constituency.

Ireland

DURING November Ireland experienced another outbreak of armed lawlessness. Over the week-end of Nov. 15 armed parties raided army posts and Civic Guard barracks in Cork, Waterford, Tipperary, Kerry, Meath and other districts. Guards were killed and the posts looted. Two days later wide powers for the suppression of disorder during a state of national emergency were given to the Government by a Public Safety act which was rushed through the Dail Eireann. After further violent outbreaks against the Government, a proclamation declaring the existence of a state of national emergency requiring the exercise of powers conferred by the act was issued by the Executive Council of the Free State on Nov. 21. Active steps were then taken to suppress the disorder. The Government declared that the outbreaks were expressions of mortification felt by the extreme Republicans over the progress toward friendly Irish-British relations which was being made at the Imperial Conference in London.

A White Paper was issued by the British Secretary of State for Dominion Affairs on Nov. 15 giving the "heads of the ultimate financial settlement between the British Government and the Government of the Irish Free State." Prime Minister Stanley Baldwin on Nov. 29 made an interesting statement concerning the position of Southern Ireland in the British Empire. When asked why the name of Ireland alone of all the Dominions had been singled out for inclusion in the new title of the British King, Mr. Baldwin replied: "The question is based on a misapprehension. Although the Irish Free State has a Dominion status, Ireland, which includes Northern Ireland, is not a Dominion."

Canada

THE Province of Ontario on Dec. 1 voted by an overwhelming majority to substitute the sale of intoxicating liquor under Government control for prohibition. This course had been urged by the Con-

servative Party in a bitterly contested general election in which the Conservatives won over 75 of the 110 seats in the Provincial Legislature.

The Dominion Parliament was convened in Ottawa on Dec. 9 and after a short sitting adjourned until after the Christmas holidays.

Late in November Canada was seriously threatened with a strike of railway conductors and trainmen. Negotiations between the union leaders and the railway executives were kept going, however, while the Government sought to reconstitute the Board of Conciliation for the purpose of avoiding a strike, which would have very serious effects.

A statement issued by the Bureau of Statistics reveals that the total trade of the Dominion for the twelve months ending September, 1926, was \$281,000,000 greater than during the preceding year. The imports were valued at \$983,000,000 and the exports at \$1,320,000,000, giving a favorable trade balance of \$337,000,000.

Australia

SIR HUGH DENISON, Commissioner for Australia to the United States, announced on Dec. 3 that Australia would be represented at Washington by a fully accredited diplomatic representative in the near future. The Australian Minister presumably will have the same status as the diplomatic representatives which Ireland and Canada have already established in the United States.

Friction between the Labor Cabinet of New South Wales and the Governor of the State, who has been supported by the opposition in the Legislature, culminated on Nov. 22 in the defeat of the Labor Government, headed by Premier Lang, by one vote. The defeat was due to dissension within the Labor ranks caused by the Premier's "dictatorial policy" and his attitude toward the Governor. The Attorney General of the State, who was sent to London to secure an official statement of the proper relations between the Governor of an Australian State and the Legislature, reported early in November that the Dominions Office in London

would express no opinion concerning the powers to be exercised by either element in the Government.

New Zealand

MORE than half the foreign trade of New Zealand is shown to be with the United States in an official statement made during November. The total imports for 1925 amounted to £14,194,806, and a large proportion of the goods purchased was of classes not produced to any extent within the British Empire. Machinery, tools, implements, tobacco, toys, and fancy goods are among the articles which are still purchased from foreign sources in large quantities.

In its report to the Mandates Commission of the League of Nations the Government answered satisfactorily all but two of the 115 questions asked concerning the administration of affairs in the mandated territory of Western Samoa. The two questions which were not answered concerned mines, of which there is none in the territory in question.

South Africa

TIELMAN ROOS, Minister of Justice of the Union of South Africa and one of the most radical members of the Nationalist Party, declared on Dec. 2 that South African Nationalists were entirely satisfied with the status of the Union in the British Empire as established by the recent Imperial Conference. Mr. Roos said: "There is no question now of secession, no question of republicanism, no constitutional question of any kind such as that raised in the past. We fully accept what has been given us by the British Government. The relations now existing between South Africa and the rest of the British Empire are permanent." The sentiments expressed in this statement were reflected in practically all of the organs of public opinion in the Union.

The most important recent event in South Africa was the round table conference between representatives of the Union

Government and the Government of India upon the proposal of South Africa to segregate and repatriate many of the Indians living within its borders.

India

THE defeat of the Swarajist Party, and especially of its extreme wing, in the general elections which ended early in December, indicated that the present Constitution of India would function successfully until the end of the ten-year period, which ends in 1929. In that year an inquiry will be made as to whether Iradi is prepared for further advances in self-government. In the Legislative Assembly the Swarajist seats were reduced from forty-six to thirty-seven. The Swarajists thus lost their majority, so that if they wish to regain control they will have to join forces with the Responsivists or the Independents, both of which are much more moderate in their views and definitely opposed to noncooperation in government under the constitution. In Madras the Swarajists won a decided victory, obtaining a majority in both houses of the Provincial Legislature. In the other Provinces they made a good showing, but were not expected to be able to control the Legislature or to prevent the formation of the Ministry.

Jamaica

THE Legislature of Jamaica by a majority of two votes on Nov. 16 rejected the new Constitution which had been prepared for the Island by the British Colonial Office. Although the new law proposed to extend the powers of Jamaicans over their own government by the creation of an Executive Committee, upon which five elective members should have seats, it also contained a clause providing that in any matter of "paramount importance" the Governor should have overriding legislative power. It was this clause which caused the rejection of the Constitution.

R. H.

France and Belgium

DURING the month the "Garibaldi Affair" was the event of greatest popular interest. On Nov. 4, Colonel Ricciotti Garibaldi, a descendant of the hero of Italian liberation, was arrested at his villa at Nice on a charge of being an *agent provocateur* of the Italian police. Revelations of the French police were followed by the resignation of the Italian Minister of Interior, Signor Federzoni, and a letter of formal apology from the Italian Government for the anti-French "incidents." Garibaldi was imprisoned in the Santé Prison and held as a political prisoner. Garibaldi denied the charge of being in the service of the Italian Government,

and maintained that if there was any double dealing with the Fascists and the anti-Fascists his object was to deceive the former and not the latter. An additional charge was to the effect that Garibaldi was connected with Colonel Macia, leader of a Catalonian conspiracy conducted on French soil. This charge Garibaldi also denied, and Colonel Macia supported him in the denial. Garibaldi's trial will be held in December.

Relations between the Italian and French Governments were somewhat strained, not only by the Garibaldi affair, but also by the alleged propaganda of the Fascists looking to a restoration of Savoy to Italy.

Antoine Borrell, who represents the Department of Savoy in the French Chamber, on Nov. 29 denounced the Fascist press for its activities in the matter.

Official figures gave the total effectives of the French Army as 31,028 officers and 647,434 men. Bills introduced into the Chamber under the direction of Minister of War Painlevé called for a reduction of the Army to 400,000.

It was announced on Nov. 30 that Count Paul Claudel, present Ambassador for France at Tokio, would succeed M. Béranger as Ambassador at Washington.

A crowd of "Camelots du Roi," a militant royalist organization sponsored by *L'Action Française*, attempted on Nov. 13 to break up a meeting at the Sorbonne where M. Herriot was to preside at a discussion of the work of Victor Hugo.

It was reported on Dec. 2 that the Government had in hand projects for turning over the Government match monopoly to a private company said to be controlled by American financial interests.

A treaty between France and the Vatican, designed to remove causes of friction in the French protectorates and countries where France is regarded as



THE ANXIETY OF MARIANNE (FRANCE)

[Two Germans have been appointed to the new Cabinet for the first time since the creation of the Czechoslovak Republic]

Marianne: "I am really anxious to know if this youth can dance with me under these conditions"

—Kladderadatsch, Berlin

"protector of the Christians," was signed in Paris on Dec. 6.

Belgium

THE stabilization of the franc has been followed by a steady return of capital to Belgium, one result being an easy money market with rates for call money at 1 per cent. and a market discount rate of $6\frac{1}{4}$ per cent. During the month there was an active stock exchange, especially in Government, municipal and industrial bonds, which advanced about 10 per cent. There was naturally a certain increase in costs and prices, but increased industrial and commercial activities were expected to

counteract the tendency to unemployment and its attendant hardships.

M. Franqui, who took office in the present coalition Cabinet without portfolio in order to direct the plans for the stabilization of the franc, retired from the Ministry.

The Government on Dec. 5 completed plans for the sale of the Belgian Navy. It was anticipated that the "Navy," which consists of 17 mine layers and some small craft used in coast patrol, if offered at public auction, would net the Government about 200,000 francs.

During the month the Senate ratified by 50 to 47 votes the treaty concluded April 3, 1925, for revising the treaties of 1839 between Belgium and the Netherlands. C. B.

Germany and Austria

WHILE Herr Paul Loebe, President of the Reichstag, was addressing an outdoor Socialist-Labor demonstration on Nov. 28 a shot was fired from a passing street car. The bullet grazed the head of one of the organizers of the meeting. Scores of angry men instantly sprang at the car, pulling from it a dozen uniformed Fascists. The Fascists were roughly handled until another party of Socialists and Laborites, wearing uniforms, rescued them and turned them over to the regular police. The Fascists had two revolvers, a dagger and several slings for stone-throwing, together with a large quantity of ammunition.

The provisional arrangement between the Socialists and the Government Parties came into operation in the Reichstag on Nov. 13, when the Government bill, temporarily prolonging the period for which unemployment relief is payable, was passed without amendment. The Socialists had abandoned their original demands and the Government had made some concessions.

The Reichstag ratified the German-Swiss Trade Treaty, the air conventions with France and Belgium, and the provisional Saar agreement of Aug. 5. In ratifying the provisional Franco-German

Trade Agreement, the House adopted a motion which had been passed in the Foreign Affairs Committee requesting the Government, in the coming negotiations for a lasting trade treaty, to obtain the abolition of the 26 per cent. French Reparation Recovery duty and the grant to German citizens of the same treatment in French mandated territories as is enjoyed by the nationals of other States which are members of the League of Nations.

On Dec. 3 the Reichstag, by a vote of 250 to 158, enacted a measure for the suppression of trashy and obscene printed matter and pictures.

In the conclusion of the Foreign Affairs debate in the Reichstag on Nov. 25 the attacks of the Extreme Wings—Communists and Nationalists—on the Government's policy of conciliatory bargaining with France proved weak and ineffective. In fact, only the Communists and the ultra-reactionary Voelkisch voted lack of confidence in Foreign Minister Stresemann. By abstaining from voting, on orders of Count Westarp, the Nationalists deliberately avoided registering censure of Dr. Stresemann's policies.

The Reichstag on Nov. 25 adopted a resolution requesting the Government to inquire into the possibility of inducing the

World Court to investigate the question of war guilt. Only the Socialists and Communists voted against the motion.

According to recently published statistics, Germany's economic status continues to improve. First of all, there has been a steady decrease of bankruptcies and receiverships since last January. There has been in the last few months a pronounced increase of production, particularly of coal and pig iron, although their permanent status must, it is confessed, be somewhat discounted by the fact that they have been strongly affected by the British coal strike.

The labor market was reported to be reviving slowly because the nationalization of industry involves at the outset a relative reduction of the number of workers necessary for production. In both 1925 and 1926 the maximum of publicly supported unemployed was reached in February. In this month it was, in 1925, 575,243; in 1926, 2,058,392. Last March it decreased to 2,017,143, and since then the decline was steady, until in September the number was 1,549,408. On the other hand, the short-time workers continued to have a hard existence.

On Nov. 22 the Reichstag was informed by Foreign Minister Stresemann that the *Deutsche Allgemeine Zeitung*, former house organ of Hugo Stinnes and in its domestic policy frankly nationalistic, was the property of the German Government. The majority of its stock (76 per cent.) was acquired for 400,000 marks in April from the Prussian State, which previously had bought the paper from the Stinnes estate. The Reichstag Budget Committee advised that, inasmuch as the Government had failed to attain the ends for which the paper was purchased, that is, "furtherance of the Reich's politics," the paper should be sold and the money thus obtained be returned to the secret funds of the Chancellor and Foreign Minister.

Austria

THE ire of the Austrian Socialists and Pan-Germans was again aroused on Dec. 1 by Chancellor Seipel's opposition to the union of Austria and Germany and his alleged friendship for Italy. Herr Leuthner, Socialist Deputy, asserted that Mgr.

Seipel and his Christian Social Party were pronouncedly anti-German, and that as Catholics they had a foolish hatred of Protestantism and, therefore, calumniated the Prussians. The Chancellor said his well-known views on the question of "Anschluss" (union) rested on these three principles: First, the policy of perpetual protest against facts lacks reason and is dangerous; second, Austria needs a realistic policy of concentration of its energies to prevent the country from declining economically or falling into social revolution, and, third, Austria must prove to the world that she respects treaties and will not break them either by force or intrigue. Regarding Italy, Mgr. Seipel stated that Austria could not have the most friendly relations with that country so long as complaints from the other side of Brenner Pass continued.

Hugo Breitner, financial director of Vienna's Socialist Administration, announced on Nov. 27 that the 1927 budget would be about 10 per cent. more than the budget for 1926. Expenditures were estimated at \$69,000,000 and revenues at \$59,000,000, leaving a deficit of \$10,000,000, covered by the city's cash reserves. Nearly one-half of the total expenditure in the new budget goes to capital investments such as the construction of flats. To pay all capital investments out of the proceeds of taxation instead of through loans is the cardinal point of the Viennese Socialist financial policy, and a total of nearly \$100,000,000 in taxes has been spent by the city in such investments in the last four years.

On Dec. 5 it was reported that the adverse balance in Austrian foreign trade was again on the increase. During the first eight months of the year 1926 it amounted to \$97,400,000.

The investigation of the Austrian Postal Savings Bank which began in late October, developed into a serious financial and political scandal which involved Chancellor Seipel and former Chancellor Ramek, Dr. Jacob Ahrer, former Minister of Finance, and Minister of Commerce Schuerff. From the testimony it appeared that in September, 1925, Dr. Ahrer, without the consent of Chancellor Ramek, signed a contract allowing the Postal Sav-

ings Bank to buy for \$11,000,000 stock which Sigmund Bosel, one of Vienna's war and inflation millionaires, had deposited with it as security for a \$4,000,000 loan to be used principally for speculation in French francs. The bank paid more than the market value of the securities, and through the transaction the Austrian State from a creditor became a debtor for \$7,000,000. Schuerff, in whose department the Postal Bank is included, also signed the contract without the knowledge of Ramek. He declared, however, that he and Ramek had conversations about the matter and that from these he got the impression that the Chancellor approved the

deal. When Ramek learned what had been done he took Ahrer to task and both went to Mgr. Seipel, before whom they aired their respective versions of the matter. Rather than have a Ministerial crisis, Seipel patched up the differences between the disputants and all three kept the matter quiet. Ramek further testified that he subsequently endeavored to safeguard the interests of the State by new negotiations with Bosel. Just before the investigating committee began its work Ahrer left for a trip to America. On Dec. 7 the Budget Commission defeated, by a vote of 13 to 10, a motion expressing lack of confidence in Herr Schuerff. H. J. C.

Italy

THE Cabinet on Dec. 6 adopted a decree-law, to become effective on Jan 1, 1927, providing for the complete reorganization of the provincial structure of Italy. It included the suppression of all subprefectures, the abolition of fourteen townships, a wholesale reorganization of prefectures, and the creation of seventeen new provinces. The reason for the change, it was explained, was the need for strengthening the direct relationship between the central Government and the various parts of the nation, and for lightening the burden of prefectural work, which had become increasingly heavy with the added powers and duties of the Prefects. Other decrees approved by the Cabinet gave virtually dictatorial administrative powers to the Royal Commissioner of Milan and to Prince Potenziani, the new Governor of Rome. Another decree laid an annual tax on a progressive scale on men between the ages of 25 and 65 who do not marry. The money so raised is to be used by the national organization for the protection of maternity and infancy.

As Minister of the Interior, Mussolini reported to the Cabinet that order now reigned throughout Italy. "The demonstrations against foreign consulates" he declared, "disgusting remnants of the petty old Italy, which I shall check at any cost,

were infinitely stupid and condemnable as were those against Catholic property and personages." He was reported to have expressed himself in the same tenor not only to the French Government but also to the French press, asserting that he would guarantee that nothing like it would ever happen again.

Italy, on Nov. 27, added another to her series of Balkan compacts by signing a treaty of friendship and arbitration with Albania. This action aroused stormy reactions in Yugoslavia.

A treaty of commerce and navigation was signed by Italy and Greece. It was based on the principle of reciprocal most-favored-nation treatment of imports from one country into the other.

As already announced, a new 5 per cent. consolidated loan was offered to the public. The consolidation consisted of the forced conversion of Treasury bonds into the new loan. This was the seventh of a series of measures taken with the purpose of improving Italy's financial situation. They are summed up as follows:

1. Settlement of war debts to America and England.
2. The Morgan loan of \$100,000,000.
3. Unification of the three banks of issue into a single bank of issue.
4. Payment by the Treasury of the \$100,000,000

of the Morgan loan to the Bank of Italy to increase its gold reserves and a considerable reduction in the fiduciary circulation.

5. Various measures to increase production, such as Mussolini's "battle of wheat," the scientific organization of industry, steps to increase the mercantile marine and systematic exploration of the subsoil in search of coal, mineral oils, iron and other metals.

6. Measures to limit consumption and increase exportation, such as the re-establishment of war-bread, foundation of a national institute for exportation and a great propaganda drive in favor of Italian goods.

7. Consolidation of the floating debt and emission of the Lictor Loan.

To these measures was generally attributed the October trade balance, which,

for the first time since the war, was reported as favorable to Italy. The figures for October showed that Italy exported goods to the value of 1,826,000,000 lire and imported articles to the value of 1,766,000,000 lire, thus leaving a surplus of 60,000,000 lire. It was pointed out, however, that this improvement was due not only to an increase of exports, but to a decrease of imports, the latter accounted for in part by the British coal strike.

Speaking to the Senate on Dec. 9, Count Volpi, Minister of Finance, said that the main features of Italy's public finances were a balanced budget, an increase in revenue, a decrease in expenditure and reduction of the national debt. E. E.

Eastern Europe and the Balkans

PREMIER MUSSOLINI'S policy of linking Italy with all the Balkan States by treaties of friendship and cooperation found fresh expression in an Italo-Albanian "compact of friendship and security" signed at Tirana, capital of Albania, on Nov. 27. The agreement was for five years, and was renewable after four. A significant feature which had no counterpart in the recent treaties with Yugoslavia, Greece and Rumania was a unilateral guarantee by Italy of Albania's territorial integrity. In this particular, the compact might be regarded as taking the place of the Council of Ambassadors' declaration of Nov. 9, 1921, by which the task of protecting Albania was entrusted to Italy, only to be refused acceptance at Tirana. Each State now engages "not to conclude with other powers political or military agreements prejudicial to their mutual interests." The treaty on its face value may be said to be the first concluded by Albania with a major power on terms of full equality since the little State won recognition of its independence in 1913.

Publication of the conclusion of this treaty aroused a storm in Yugoslavia, Albania's neighbor, and even led to the resignation of the Uzunovitch Government. On Dec. 6 Ninchitch handed in his resignation as Foreign Minister, which post, with slight

interruptions, he had occupied since the war. In a public statement made in the Banat the day before, he declared that the compact spelled danger for the Balkans, but that the Yugoslav Government would take measures to assure satisfactory results. In his letter of resignation to M. Uzunovitch he said: "I have followed the policy which I was convinced was best for my country and which was founded on mutually agreed principles. I have loyally followed these principles during my whole ministry. But in the last few days an event [the signing of the Italo-Albanian treaty] has occurred which has shaken the confidence on which I based my policy. For this reason I resign as Foreign Minister."

In view of the resignation of M. Ninchitch and the general reaction to the treaty in Yugoslavia, the entire Uzunovitch Cabinet resigned on Dec. 7.

M. Ninchitch had been attacked by the Opposition on the ground that he had failed to protect the country's interests in Albania. He had also been severely criticized in general for his conciliatory policy toward Italy in the settlement of the Fiume and other questions between the two States. It was understood that he felt he had relied overmuch on written and verbal promises he had received from Rome. It

was pointed out that the first article of the Italo-Yugoslav compact signed on Jan. 24, 1924, pledged both States to communicate to each other all treaties they might conclude regarding Central Europe and the Balkans. It was argued that the Italo-Albanian compact violated this agreement. It was further asserted by the *Politika* that this treaty had been accompanied by a secret military convention whereby Italy promised military aid to Ahmed Zogu, President of Albania, in case his régime was threatened in any way.

The Italian Ministry of Foreign Affairs on Dec. 8 denied that the Tirana Treaty contained any secret military clauses. Official circles in Italy expressed surprise at the excitement the treaty had aroused in Yugoslavia, and declared its only object had been to maintain the status quo in Albania. Excitement continued in Yugoslavia, though it was hoped that Albania, influenced by Yugoslavia, would refuse to ratify the treaty. This hope proved vain, for on Dec. 10 the ratification by Albania occurred. The situation had considerable repercussion in Geneva and in France, where its implications and possible results were seriously discussed. The announcement of the treaty was calmly received by Greece, where it was pointed out that the compact would be submitted to the League of Nations for registration and that this provided an ample guarantee that the fundamental independence of Albania was not threatened; and by other Balkan States.

Yugoslavia

THE resignation of M. Ninchitch, Yugoslav Foreign Minister, on Dec. 6, followed by the resignation of the entire Uzunovitch Cabinet on Dec. 7, as the result of publication of the Italo-Albanian treaty signed at Tirana on Nov. 27, brought another Cabinet crisis to add to those that had already occurred at Belgrade in recent weeks. King Alexander asked the resigning Premier, M. Uzunovitch, to endeavor to form a new Government. In this effort, however, M. Uzunovitch proved unsuccessful. In view of this failure, King Alexander on Dec. 9 called M. Nikola Pashitch, many times Premier and Cabinet Minister

of Yugoslavia, and asked him to take again, as he had so often done before at critical moments, the helm of State. Though nearly 81 years of age and in poor health, the veteran statesman accepted this new responsibility.

On the evening of Dec. 9 he conferred with members of the Radical Party, the dominant political party of the nation, founded by himself. During the discussion he complained of feeling ill and retired. It was soon apparent that his condition was serious, apparently the result of a stroke of paralysis on the right side of the brain, and despite all the efforts of his physicians he sank rapidly and at 4 o'clock in the morning fell into a state of coma, which lasted till his death a few hours later. The entire Yugoslav press paid glowing tributes to the dead statesman. King Alexander was deeply affected by the death of "the grand old man of Serbia," which to the Radical Party assumed the proportions of a catastrophe. Premier Uzunovitch, who continued to administer the country during the Ministerial crisis, immediately called an urgent meeting of the Cabinet.

The funeral of M. Pashitch was held in Belgrade on Dec. 12. It was a State function, attended by the greatest pomp the country could provide.

Greece

FINAL figures on the election of Nov. 7 were announced by the Government a week later, showing a Republican majority of thirty. Nearly a million votes were cast. Under arrangements made public on Nov. 29, Premier Kondylis, who had said before the election that in the event of a Republican victory he would retire, was to be succeeded by M. Kafandaris, leader of the largest Republican group; and on Dec. 2 the change duly took place. General Metaxas, Moderate Royalist leader, agreed to cooperate on condition that the Army be kept definitely out of politics. The new Parliament convened on Nov. 26.

In interviews after the election, practically all the leading politicians agreed that the era of military dictatorship is ended and a period of Constitutional Government on democratic lines begun.

The first work of the new Chamber will be the ratification of the Constitution of 1925, with the revision of some articles to make it acceptable to all parties.

Bulgaria

IN the communal elections held throughout the country on Nov. 14 the Government was badly defeated in Sofia and in other large towns, though, as usual in all the Balkan countries, it won more than half the seats in the rural districts. The vote, therefore, was considered as favorable to the Opposition, especially to the coalition which Alexander Malinov recently formed among Democrats, moderate agrarian followers of former Premier Stamboliski, and the remains of the National Liberal Party of the war Premier, Radoslavov, now in exile. The elections were everywhere viewed as a skirmish preliminary to the Parliamentary elections scheduled for next Spring.

Hungary

HAVING passed a bill on Nov. 12 re-establishing a second Chamber in the place of the old Chamber of Magnates, which has been in abeyance since 1918, the National Assembly was dissolved on Nov. 16, and a new Parliament—to consist, of course, of two houses—was convoked for Jan. 25. The Assembly's term would not have expired until May, but the body had done about all that could be expected of it, and, besides, Premier Bethlen judged the situation favorable for winning a majority for his National Unity Party and so obtaining a fresh lease of power.

The new House of Lords is markedly different from the old Chamber of Magnates. The present House contains 240 members, in six categories: (1) About thirty-eight elected representatives of the former hereditary noble members and archdukes; (2) about eighty elected for five-year terms by country and city Councils; (3) thirty representatives of Catholic, Protestant and Jewish churches; (4) six high dignitaries in an ex-officio capacity; (5) forty representatives chosen for ten-year terms by Chambers of Agriculture, Cham-

bers of Commerce, Stock Exchanges and academic institutions, and (6) a maximum of forty named for life by the head of the State on recommendation of the Ministry. There are provisions under which, in case of disagreement between the two Houses, a bill passed by the Assembly may become a law without the assent of the Upper Chamber, on the same general principle that has been operative in Great Britain since 1911.

Poland

THE outstanding feature of the past month has been a war to the hilt between the Premier-Dictator Pilsudski, holding the upper hand by virtue of his control of the army, and the duly elected Diet. On Armistice Day the Marshal reviewed a parade of 30,000 soldiers in the streets of Warsaw, receiving plaudits which unmistakably attested his popularity, at all events with the troops. Two days later the legislators had their turn, with very different results; rather than obey the order (designated to emphasize the subordination of the Legislature to the Executive) that the Deputies stand during the reading of the President's decree opening the budgetary session, 308 of the 450 members absented themselves, and those who attended, instead of commencing the business in hand, presented *en bloc* a protest against the press censorship lately set up by Presidential order.

Thereupon a deadlock developed which, though by no means without its amusing features, boded no good for the Republic. Faced with persistent refusal of the Diet to pass the budget as submitted by the Government, the Marshal and his colleagues in the Ministry instituted a boycott, leaving the Diet to pursue its futile discussions while they carried on the affairs of the country; for days no Minister darkened the doors of the Chamber, except at rare intervals when some attention was really being given the budgetary proposals.

Meanwhile, evidences multiplied of a leaning toward monarchy, not only on the part of the Marshal and his friends, but among the general body of citizens, many

of whom consider that the Diet is incompetent and not to be looked to, either now or in the future, for actual control of the nation's affairs, whether foreign or domestic. Cordial reception of a special envoy from Mussolini did not escape comment; conferences of industrial magnates and landed aristocrats were reported as having a decidedly monarchical tone; and a new National Right Party took as its task the uniting of all intellectuals as a bulwark against "misguided political movements" and boldly proclaimed that the hope of the country lies in establishing an elective monarchy with Pilsudski as the first king.

The dispute between Poland and Lithuania over the possession of the much-coveted frontier town of Vilna has reached a new stage. The Russian Soviet Government informed the Polish Government that

it had no intention of interfering in the controversy, and Poland thus scored an important victory in the "war" which nominally exists between her and Lithuania over the question.

In compliance with one of the recommendations of Dr. Edwin W. Kemmerer for the rehabilitation of the Polish financial situation, the Ministers of Finance and Commerce, on Nov. 21, decided on a program for placing Government representatives in all great industries, especially those doing a heavy export business. The object was not only to keep a check on taxes and prevent the flight of capital, which Dr. Kemmerer believed to be going on to a damaging extent, but to give the Government accurate statistics on the volume of business in the country.

F. A. O.

Russia

THE Stalin Administration continued its punishment of the Opposition. Trotsky, who had already been ousted from the Political Bureau of the Communist Party, was removed on Nov. 22 from the Chairmanship of the Scientific and Technical Department of the Supreme Economic Council of the Soviet Government, and on Dec. 2 he was relieved of his post as head of the Dnieper Ostrov Hydroelectric Power Works, a State enterprise. He remained at the head of only one State organization, the Concessions Committee. Zinoviev was forced to resign his Chairmanship of the Communist International at its seventh plenary session in Moscow. He was replaced by Nikolai Bukharin, who has long been known as an associate of Stalin.

Under the pretext of making reports on the decisions of the recent Communist Party conference at Moscow, the group about Stalin called meetings in all centres throughout the Soviet Union, before which the actions of the Opposition were condemned. In order to hold certain elements in the population of the Soviet Union who seemed to have been affected

by the propaganda of the Opposition, the Stalin Administration saw fit to make some concessions. A hasty measure to establish a general increase of industrial wages was carried through the Central Executive Committee, with the reservation, however, that it must be offset by economies in management and increases of production. The labor unions now have some 8,000,000 members and seem to be gaining steadily. If Trotsky were to win the support of that mass of men and women and were to turn them against the Soviet Government, Stalin would have considerable difficulty in retaining power. Another measure of the Soviet authorities which looked much like a concession to thwart the Opposition was the announcement on Nov. 26 by Brukanov, Commissar of Finance, that henceforth the heaviest possible taxes were to be levied upon private business. The announcement, however, was not to the effect that private trade would be legislated out of existence.

Better commercial contacts have been established between the Soviet Union and the United States. The Derutra Line, which is controlled by the Soviet Govern-

ment, has inaugurated a service directly out of Baltic and Black Sea ports to the United States. It is said that Germany has thus been eliminated as the intermediary in trade between the United States and the Soviet Union.

Reports from Moscow indicate that two foreign concessions are having difficulties: The English corporation in the Lena gold-fields and the Harriman manganese interests in Georgia. The latter seem to have been sharply affected by unexpected expenses and by the fall of the world price for manganese.

On Nov. 17 Kalinin, presiding officer of the All-Russian Soviet Congress, pledged the Soviet Government to assist in the establishment of a Jewish territorial unit in Russia, which should have local autonomy and a place in the Union of Socialist Soviet Republics. It was said that this Jewish republic would centre about Kherson in the northern part of the Crimea near the Sea of Azov. On Nov. 19 Kalinin announced the formation of the

"Agrokustbank," with capital amounting to \$750,000, an institution designed to help the Jewish settlers finance their agriculture and handicraft. Shares in this bank are to be held by the State Bank, the Industrial Bank, the Peasants' Cooperative Bank and private individuals; it is to be not a State enterprise, but a joint-stock company, constructed on principles which are easily recognizable as capitalistic.

A J. Cook, Secretary of the Miners' Federation of Great Britain, arrived in Moscow on Dec. 5 to attend as a guest the sessions of the Russian Trade Union Congress. As leader of the coal strike in England he received enthusiastic ovations.

Leonid Krassin, Soviet envoy to Great Britain, died in London on Nov. 24. Although he had been among those closest to Lenin before the Bolshevik revolution, he was considered a moderate Bolshevik, because he had little faith in "world revolution" and worked to restore peaceful relations with "bourgeois" countries.

A. B. D.

NATIONS OF NORTHERN EUROPE

Finland

A DISPATCH from Helsingfors, dated Nov. 24, announced that the Cabinet of Premier Kyosti Kallio had resigned, after a debate in the Rigsdag upon the supply of army munitions. Premier Kallio is a member of the Agrarian Party. His Cabinet was formed on Dec. 31, 1925.

The Soviet Government broke off its negotiations with Finland for a treaty of non-aggression similar to its pact with Lithuania. *Izvestia*, official organ in Moscow, gave as the reason the fact that Finland had insisted that all disputes should be arbitrated.

Estonia

THE bulletin of the Estonian Consulate General in New York for Nov. 1, 1926, showed that the foreign trade of Estonia for the first half of 1926 (Jan. 1 to June 30) had declined to the amount of 180,-

821 Estonian marks from the trade of the corresponding months in 1925, but that the balance of trade had turned from an unfavorable balance of 598,026 marks—an excess of imports over exports—to a favorable balance of 118,321 marks—an excess of exports over imports.

Lithuania

ACCORDING to *Lietuva*, official organ of the Lithuanian Government, the Lithuanian delegation, which went to Moscow on Oct. 12 to discuss a commercial treaty to supplement the non-aggression pact, sought to obtain an understanding with the Soviet Government whereby a definite and continuous quota of Soviet orders would be placed in Lithuania, a separate Soviet commercial representative would be appointed for Lithuania and the principle of the most favored nation made the basis for commercial relations between the two countries.

A. B. D.

Other Nations of Europe

Spain

THE Council of State has approved the terms of a convention with a company called the Compañía Transaera for the establishment of an airship line between Seville and Buenos Aires, the contract providing that the company must build and equip an airport at Seville and open service within three years at its own expense. A weekly service is contemplated and the airships will be capable of carrying forty passengers and ten tons of freight. For each voyage the Government will pay a subvention of 500,000 pesetas with an annual maximum of 6,000,000.

The situation in the artillery corps at the end of the ten days within which they might apply for reinstatement showed virtually all the rebellious officers back in the fold. On Nov. 27, General Primo de Rivera issued a note commending these officers for their good spirit and assuring them that the Government would watch over their interests in the future.

The Premier's decree enlarging the Royal Academy and broadening the requirements for membership met with heated opposition. This body of thirty-six has for four centuries been independent of governments, electing its own members by strictly numerical vote.

Portugal

THE political situation in Portugal entered upon another phase on Nov. 29, when General Carmona, the Premier and Dictator, assumed power as President. This is the climax of the events since the Presidency was relinquished by Bernardino Machado last June. General Carmona took an active part in the military upheaval at that time, when the army stepped in to accomplish what Parliament and the civilian authorities had failed to do; and with General Gomes Da Costa and Commander Mendes Cabecadas he overthrew the Constitutional Government. Then followed a series of political excitements dur-

ing which General Da Costa ousted Commander Cabecadas and was in turn deposed by General Carmona. Legally the sole power to elect the President of Portugal lies within the Congress.

Holland

THE discussion which took place in December in the Second Chamber of the Dutch Parliament seemed to indicate that the present Government has no well-defined naval policy. Naval Minister Lamboy stated that he would refrain from any reinforcement of the fleet until 1930 in order to await the results of the development of naval armaments in other countries, but strong criticism of this policy was expressed on the ground that a small but well-constituted fleet would prevent trouble in the East Indies, and it was estimated that a force sufficient for the defense of the Dutch Archipelago should consist of two cruisers, eight destroyers and twelve submarines, the cost of which would be 200,000,000 guilders.

Internal troubles agitated the Dutch East Indies during November, in the shape of violent demonstrations by Communists throughout both East and West Java. These were met with vigorous measures by the authorities and prominent agitators were arrested. The local press asserted with emphasis that only a small part of the community was involved in these disorders, and that the movement was due entirely to outside communistic influences.

Denmark

AS a result of the Parliamentary elections of Dec. 2, the Socialist Premier, on the following day, presented to the King the resignation of his Cabinet, without awaiting for the convocation of the Assembly.

The change in party representation was small on all sides, but permitted a Liberal and Conservative combination which would outweigh a coalition of Socialists and Radicals. In the elections the Conservatives

won thirty seats in the Folkething, the lower house of Parliament, a gain of two over the 1924 elections, and the Liberals forty-six, also a gain of two, while the Socialists took fifty-three, a loss of two, and the Radicals sixteen, also a loss of two. The Slesvig (German minority party), obtained one seat, the same as they had in the old Folkething. The Justice Party, which had no candidate in the 1924 elections, obtained two seats.

On Dec. 10 M. Madsen-Mygdal, a Liberal, was appointed Prime Minister.

Sweden

AWARDS of Nobel Prizes on the twenty-fifth anniversary of their foundation were made as follows:

GEORGE BERNARD SHAW... Literature, 1925

Prof. JAMES FRANCK AND

Prof. GUSTAV HERZ..... Physics, 1925

Dr. RICHARD ZSIGMONDY... Chemistry, 1925

Prof. JEAN B. PERRIN..... Physics, 1926

Prof. THEODORE SVEDBERG,

Chemistry, 1926

The 1925 and 1926 peace prizes, which were awarded in Norway, were divided between Aristide Briand and Dr. Gustav Stresemann, and Sir Austen Chamberlain and Vice President Dawes respectively.

Premier Carl Gustav Ekman announced, in an address at Gothenburg, that though head of a minority Government, he would make no hard and fast alliances either with the Conservative Right or the Radical Left, but would expect to obtain votes from either direction, as the case might be. The Social-Democratic ex-Premier Rickard Sandler was appointed head of the Bureau of Statistics.

The prospects of a resumption of the monetary union with Norway and Denmark were commented on favorably by the Swedish press in view of the return of the Danish krone to par and the rapid rise of the Norwegian currency on the international market.

Further expansion of the Swedish match industry with the aid of American capital was announced. The united Swedish and American interests now have more than 50,000 employees in thirty-two different countries, operate government monopolies in Poland, Portugal and Peru, and are negotiating with Lithuania, Austria and Czechoslovakia. The Bofors Ordnance Works, which has used the Krupp patents since the war, has obtained new foreign orders for war supplies to the amount of 40,000,000 kronor.

J. M. V.

Turkey and the Near East

PRESIDENT MUSTAPHA KEMAL PASHA, in his speech at the opening of Parliament, affirmed that his Government had shown great activity during the past year. Among the results realized were the opening of new banks, the enlargement of old ones and the inauguration of a number of Turkish commercial enterprises. Coastwise shipping, exclusively under the national flag, has increased greatly, and more coal has been mined in the country than ever before. Remarking that Turkey is above all an agricultural country, and that it draws its strength and its riches from the land, he said: "We must admit frankly that we have very few specialists who are capable of giving agriculture the impulse which it

needs. We are then of the opinion that our agricultural institutions and schools should be reorganized according to scientific methods and under the direction of specialists." Progress has also been realized in the direction of public hygiene, especially in the war on malaria. Railway construction is progressing and the line from Samsun to Charchamba has been opened.

In discussing foreign policy, Mustapha Kemal said: "We observe with satisfaction the flourishing condition and the progress of Persia, as well as the fruit of the efforts put forth by Persian patriots to establish on solid bases the administrative unity of their country."

As regards the Balkan peninsula, he

stated that Turkey is greatly interested in the tranquillity and security of the region, and added: "We are very warm partisans of a free and sincere external policy based on reciprocal confidence and respect; and we are anxious to see whether the measures we have taken and the offers we have made in that direction will bring us an efficacious and real security."

The Assembly re-elected General Kiazim Pasha as its President. General Refet Pasha, formerly Prime Minister and lately member of the Opposition, resigned his seat as Deputy for Constantinople.

Departing apparently from its policy of railway development under Turkish direction alone, the Government was reported to have granted a concession to a Swedish railroad syndicate to construct a harbor at Samsun and nearly 1,000 miles of railroad lines upon which will be spent \$15,000,000; also to a Belgian company to improve the harbor at Mersina and build a railway to cost \$20,000,000. A concession to a Swedish telephone company to erect a new system at Smyrna was also reported.

Egypt

PARLIAMENT was opened on Nov. 18 in the presence of King Fuad, Prime Minister Adly Pasha, High Commissioner Lord Lloyd, and many other dignitaries. The speech from the throne, read by Adly Pasha, was short and without striking features. Ratification was asked of the plan to lend \$20,000,000 to cotton cultivators, to restrict the area to be planted in cotton, and to organize a cooperative association. An energetic policy for improving the control of the Nile waters was indicated.

Foreign relations were recognized as being most friendly, and the expression of satisfaction that the understanding between Britain and Egypt was daily improving was applauded. Attention was called to the fact that Parliament and the Government are collaborating in the consolidation of the constitutional régime.

After the ceremony, Zaghlul Pasha was re-elected President of the Chamber by unanimous vote. This veteran leader and his party appear to have receded from their

former policy of opposing England's wishes and to have set their faces toward conciliation.

On Dec. 8 the Chamber passed a law limiting cotton acreage for three years to a third of every plantation.

A treaty between Italy and Egypt was signed at Alexandria on Nov. 9, delimiting finally the frontier between the two countries near Sollum and Jarabub. One point is still unsettled between the two Governments—namely, the nationality of the Senussi, who reside near the frontier.

Palestine

MUCH interest and discussion was aroused by the publication late in November of a report on conditions in Egypt, Palestine and Greece, which Dr. Henry S. Pritchett presented to President Nicholas Murray Butler of the Carnegie Endowment. The report was distinctly unfavorable to the Zionistic movement in Palestine.

Dr. Pritchett stated:

The Zionist movement to colonize Palestine with Jews from other parts of the world and to make of it, in the language of the mandate, a national Jewish home, appears to me an unfortunate and visionary effort. * * * The inherent poverty of the country, its lack of resources, the absence of an industrial life, operate to make futile the economic success of such an effort. * * * It seems unfortunate to add one more quarrel to those which already embitter the countries that lie at the eastern end of the Mediterranean.

He affirmed that to settle an additional million people in Palestine would greatly accentuate the present bitterness, while to clear out the Arabs and fill the country exclusively with Jews would be distinctly unfortunate for the Jews themselves. "The segregation of any national group by itself has seldom failed to develop a type of personality and national character that was aggressive, egotistic, and without capacity for cooperation with the rest of the world."

A number of prominent Zionists, in particular Dr. Chaim Weizmann, President of the World Zionist Organization, answered Dr. Pritchett's declaration promptly. Dr.

Weizmann compared the geographical conditions and the farming possibilities of Palestine with Southern California and the French Riviera. He stated that Arabs are protected and that there is no possibility of their displacement, that "Jewish work in Palestine has acted as one of the most potent stabilizing forces for the peace of the country," and that Jews and Arabs are improving in their mutual relations.

In a later address Dr. Weizmann pointed out that Palestine is now so tranquil that the "sole force maintained there consists of 250 British soldiers and a gendarmerie recruited from the local population. . . . The Jews of the world have invested in Palestine since 1920 something like \$15,000,000, of which a considerable part has gone into the pockets of the Arabs."

Syria

IT was reported on Nov. 11 that M. Ponsot had offered separate autonomy to the Druse Mountain, but that this had been refused, since the Druses were attached to the idea of Syrian unity. A council of Druse chieftains was called to discuss peace terms. M. Ponsot received nationalist delegates at Aleppo and returned to Beirut on Nov. 13.

The direction of the wind may be shown by the publication, under the authority of the High Commissioner, of a political report submitted by Ramadan Pasha esh Shallash, insurgent leader who submitted to the French last January. The report recommends vigorously the adoption of monarchical government as alone compatible with Moslem psychology and Arab character. It proposes as the fittest candidate the Sherif Ali Haidar Pasha, who was considered seriously as a candidate for Caliph two years ago.

Iraq

RASHID ALI BEG was elected President of the Chamber on Nov. 1, in opposition to the candidate supported by the Government. The Ministry thereupon resigned, and a Cabinet crisis ensued which

lasted three weeks. King Feisal failed to find a leader in Bagdad who could command a majority in Parliament. He sent therefore for General Jafar Pasha el Askari who was the Iraq representative in London. After vigorous negotiations the Cabinet was announced on Nov. 21 as follows:

General JAFAR PASHA EL ASKARI—Prime Minister and Foreign Affairs.

General YASIN PASHA EL HASHIMI—Finance.

RASHID ALI BEG EL GILANI—Interior.

RAUF BEG EL SHAHDIRSHI—Justice.

AMIN BEG ZAKI—Communications and Public Works.

The SEYYID SHEIKH ABDUL MAHDI EL MUNTAFIQ.—Education.

AMIN ALI BEG BASHAYAN—Auqaf (Pious Foundations).

General NURI PASHA SAID—Defense.

In mid-November Sir Henry Dobbs, British High Commissioner for Iraq, appeared before the Permanent Mandates Commission of the League of Nations and presented a long report upon the British Administration in Iraq, painting a distinctly favorable picture. He stated that relations are excellent between the Iraq authorities and the British, the former having a large and increasing measure of independence. Interference on the part of the High Commissioner daily becomes less frequent. The number of higher officials in the Administration who are British was 473 in 1920 and is now 104; 530 British subordinate officials have been reduced to 100, and 2,200 Hindu officials have been reduced to 600. Said Sir Henry Dobbs: "It may be contended that in our desire to give rapid effect to our intentions and to the spirit of the Covenant we are attempting to teach Iraq to run before she can walk. I answer to that criticism that the attempt has been successful."

The program of the new Government, as announced in the Speech from the Throne, contains a proposal to inaugurate compulsory military service, an endeavor to improve relations with neighboring countries, a furthering of educational development, and the preparation of new plans for irrigation.

A. H. L.

The Far East

China

THE report of the commission on extraterritoriality in China [important parts of which will be found elsewhere in these pages] was published on Nov. 28 in a book of 156 pages and doubtless comprises the most authoritative statement of the facts so far available. This report grew immediately out of resolution 5 of the Washington Conference of 1921, but as far back as 1902 Great Britain, in a treaty with China, expressed her willingness "to relinquish her extraterritorial rights when she is satisfied that the state of Chinese laws, the arrangements for their administration and other considerations warrant her in so doing." The United States and Japan made similar treaties in 1903. The proposed Chinese reforms were retarded by revolution and civil war, but at the Washington Conference, at the suggestion of China, it was resolved to create a commission within three months of the adjournment of the conference, to report one year after its first meeting. The Chinese Government itself requested that the meeting be delayed, but in the meantime the demand of the Chinese Nationalists for the elimination of extraterritoriality became more insistent.

Although mainly a statement of facts, the report does not hesitate to insert criticisms where it deems them appropriate and it also makes specific recommendations. The commission criticizes the present extraterritorial courts because of the multiplicity of laws administered, their inaccessibility, the frequent lack of legal training of their judges and the difficulty of appeals. Reforms by the foreign powers, especially the introduction of Chinese law so far as possible, are recommended. This accords with the suggestion made by H. G. W. Woodhead, editor of the *Peking and Tientsin Times* at the Harris Institute in Chicago a year ago, and would be a natural first step toward ending extraterritoriality. On the Chinese side the report finds that the new codes have not generally been

passed by the proper constitutional process, that they are as yet incomplete and that there are not enough modern courts and prisons. More serious, however, is the inadequacy of judicial administration because of the intervention of war lords who legislate, judge and execute arbitrarily. Cases are cited of brutal action by these militarists. In view of these conditions, the report does not recommend immediate abolition of extraterritoriality but intimates that elimination may take place Province by Province as the necessary reforms are effected.

Although the recommendations of the report were signed by the Chinese representative, Wang Chung-hui, the report does not meet the desires of the Chinese Nationalists and the almost extinct Peking Government at first published only a part of it. The more conservative Chinese and the foreigners in China approve it. In his message to Congress on Dec. 7, President Coolidge said the report was being studied with a view to determining our foreign policy in regard to extraterritoriality, and it seems that some legislative action for permitting the American courts in China to apply Chinese law may be called for.

The conditions of civil war deplored in the report have not abated since the commission's last meeting in September, 1926. In fact, the northward movement of Chiang Kai-shek and the combination of the Northern forces under Chang Tso-lin promise to prolong the war. Thus, it is not likely that the powers will be willing to go any further than the report recommends. On the other hand, the Kuomintang has announced the elimination of unequal treaties as its first aim. It refused to allow the commission to investigate in the territory under its control.

The Kuomintang was reported to have changed its headquarters to Hankow on Dec. 5. A general foreign strike and boycott embracing domestic servants and office staffs began in the last days of November and was said to create "the greatest crisis since the Boxer rebellion," a phrase which has been used before in recent

months. British, French and American marines were landed on Nov. 30 to protect the foreign concessions. British naval forces and the American destroyers Truxton and Pope were ordered up the Yangtse. Nevertheless, Sir Austen Chamberlain, the British Foreign Secretary, announced in the House of Commons Dec. 1 that Great Britain was not contemplating intervention beyond the protection of its nationals, and the United States Department of State avowed a similar policy. There have been rumors of a policy of raising the arms embargo for the benefit of the Northern armies, but little evidence points to a departure from neutrality. In fact, the resignation of the entire Peking Cabinet on Nov. 29, because of a lack of funds, and the departure of the British Minister, Miles Lampson, to Hankow on Dec. 7, looked rather to a recognition of the Kuomintang Government. The latter informed the League of Nations Secretariat on Dec. 6 that the Peking Government no longer represented China.

The Southern armies occupied Foochow, capital of Fukien Province, on Dec. 6 and seemed likely to enter Shanghai any day. In reply to these successes, the Northern war lords have united under the title "Ankuonsiun" or the "country pacifying army," with Marshal Chang Tso-lin as Generalissimo. Sun Chuan-fang and Tsungchang are chief lieutenants, but Wu Pei-fu is not included.

The 1,200-ton French steamer Hanoi was attacked on Nov. 13 by twenty-six pirates who killed a guard and stole \$50,000 from the maritime customs, \$20,000 from passengers, and guns and ammunition. The piracy occurred near Bias Bay, which has recently been the scene of other piracies.

Japan

THE new Japanese land law went into effect on Nov. 10. Land may be acquired by foreigners except in defensive areas, where it can be acquired only with consent of the Ministers of the Army and Navy. The following articles relating to discriminations against nationals of countries which forbid Japanese land owner-

ship do not come into effect until proclaimed by imperial ordinance:

Art. 1—Any foreigner or any foreign juridical person belonging to a country which imposes prohibitions, conditions or restrictions on the enjoyment by Japanese subjects or Japanese juridical persons of rights pertaining to land may be placed by imperial ordinance, regarding the enjoyment or rights pertaining to land in Japan, under such prohibitions, conditions or restrictions as are identical with, or analogous to, the said prohibitions, conditions or restrictions respectively.

Art. 2—A Japanese juridical person or a foreign juridical person shall in case not less than one-half in number of its members, shareholders or executive officers, or in case not less than one-half in amount of its capital, or in case a majority of its votes are or belong to foreigners or foreign juridical persons, such as are mentioned in the preceding article, be regarded in accordance with provisions made in that behalf by imperial ordinance as belonging to the country or countries to which the said foreigners or foreign juridical persons belong, and the preceding article shall apply to the said Japanese juridical person or the said foreign juridical person.

The amount of capital and the number of votes referred to respectively in the preceding paragraph shall be computed in manner provided for by imperial ordinance.

Art. 3—Any part of a foreign country which enjoys separate legislative power in regard to land shall, in the application of the present law, be regarded as a separate foreign country.

Japan is about to re-establish the gold standard, a remarkable accomplishment in view of the burden she has been under since the earthquake of 1923. The yen has risen from 43.50 a year ago to 49.12 with a par of 49.80. A loan of \$19,740,000 from J. P. Morgan & Co. is the third step in the reconstruction and completes the reconstruction financing of Yokohama.

In a note of Nov. 23 the United States reiterated its position that the Japanese wireless contract with China violated existing treaties between the United States and China.

The Soviet Government has asked Japan for an explanation of the latter's advice through M. Furusaya, representing the South Manchuria railway, to the Chinese Governor of Harbin to call a meeting of the directors of the Chinese Eastern Railway to settle outstanding questions before the arrival of M. Lashevich, the new Soviet assistant manager of the railway. Q. W.